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MEMOIRS

OF

JOHN QUINCY ADAMS,

COMPRISING PORTIONS OF

HIS DIARY FROM 1795 TO 1848.

EDITED BY

CHARLES FRANCIS ADAMS.

VOL. I.

PHILADELPHIA:
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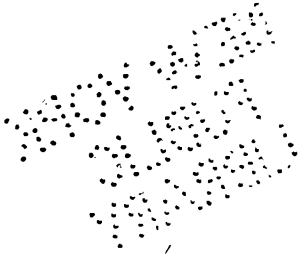

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TABLE OF CONTENTS.

CHAPTER I. PAGE

BIRTH AND EDUCATION 3

CHAPTER II.

THE MISSION TO HOLLAND 30

CHAPTER III.

THE MISSION TO HOLLAND,—CONTINUED 38

CHAPTER IV.

A MISSION TO GREAT BRITAIN—APPOINTMENT TO PORTUGAL . . . 121

CHAPTER V.

MARRIAGE, AND THE MISSION TO PRUSSIA 193

CHAPTER VI.

THE SENATE OF MASSACHUSETTS—THE SENATE OF THE UNITED STATES . 248

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PREFACE.

I TRUST I may be pardoned for offering some explanation of the form in which I have decided to put the present publication.

It is now six-and-twenty years since the event happened which devolved on me alone a grave responsibility as the custodian of a voluminous mass of manuscripts accumulated during seventy-five years of continuous service of two public men, father and son.

Of their value as materials contributing to the history of the rise and progress of the United States in its first century, I could not entertain a doubt. Their importance in elucidating a specific course of action, often connected with heavy responsibilities to the state, seemed equally obvious. Not insensible to the hazard attending their preservation in a country passing through social changes so rapidly as this does, and warned by well-known instances of dispersion and loss in other quarters, it has been my leading wish to place the essential portions of this collection intrusted to my care out of the reach of danger, by publication in my own day.

Moved by these considerations, I lost no time in entering upon my labors, by first preparing for the press a collection of the papers connected with the life and times of John Adams. This duty was fulfilled by the production in succession of ten large octavo volumes, requiring on my part the assiduous application of eight consecutive years. It is doing no more than justice to the liberality of the Congress of the United

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States, to recognize the assistance given to this part of the undertaking by a subscription for one thousand copies.

The next and far the most difficult part of the work yet remained. The papers left by John Quincy Adams were not only much more numerous, but they embraced a far wider variety of topics. Whilst the public life of the father scarcely covered twenty-eight years, that of the son stretched beyond fifty-three. Fully aware of the danger of losing time, if my design was fully to complete the task, I applied myself at once to the labor of reading for a selection not less than a preparation of materials for the press. But circumstances needless to detail just then interposed, which seemed to command my own services in public life at so wide a distance from home as to make a further prosecution of this plan for a time impracticable. Yet I may say with truth that, during this interval of nearly twelve years, the hope of returning to it was never out of my mind. And when at last relieved by the kindness of the government, at my own request, I hastened to resume the thread of my investigation just at the point where I had left it so long before.

The chief difficulty in the latter part of this enterprise has grown out of the superabundance of the materials. Not many persons have left behind them a greater variety of papers than John Quincy Adams, all more or less marked by characteristic modes of thought, and illustrating his principles of public and private action. Independently of a diary kept almost continuously for sixty-five years, and of numbers of other productions, official and otherwise, already printed, there is a variety of discussion and criticism on different topics, together with correspondence public and private, which, if it were all to be published, as was that of Voltaire, would be likely quite to equal in quantity the hundred volumes of that expansive writer.

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But this example of Voltaire is one which might properly serve as a lesson for warning, rather than for imitation. No reader can dip into his pages in the most cursory manner without noticing how often a mind even so versatile as his repeats the same thoughts, and how much better character is understood by means of a single happy stroke, than by dwelling upon it through pages of elaboration.

The chief objects to be attained by publishing the papers of eminent men seem to be the elucidation of the history of the times in which they acted, and of the extent to which they exercised a personal influence upon opinion as well as upon events. Where the materials to gain these ends may be drawn directly from their own testimony, it would seem far more advisable to adopt them at once, as they stand, than to substitute explanations or disquisitions, the offspring of imperfect impressions painfully gathered long afterward at second hand.

It so happens that in the present instance there remains a record of life carefully kept by John Quincy Adams for nearly the whole of his active days, and in condition so good as but to need careful abridgment to serve the purposes above pointed out. It may reasonably be doubted whether any attempt of the kind has ever been more completely executed by a public man. The elaborate memoirs of St.-Simon, which fill twenty volumes, on the one side, and those of Grimm and Diderot, which make sixteen more, on the other, may be cited perhaps as similar examples of industry. But although each of these publications may perhaps have its points of superior attraction, they both want that particular feature which is most prominent here, the personification of the individual himself in direct connection with all the scenes in which he becomes an actor, and the examination to which he subjects himself far more severely than he does those about him. In this

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respect the contrast between him and St.-Simon is striking, as also in a superiority in aspiration for the good and the pure both in theory and action, which is more or less felt to pervade every page.

After careful meditation over the materials of this great trust, I reached the conclusion that it would be best to set aside the rest of the papers, and fix upon this diary as altogether the surest mode of attaining the desired results. Having settled this point, the next question that arose was upon the mode of making the publication. It was very clear that abridgment was indispensable. Assuming this to be certain, it became necessary to fix upon a rule of selection which should be fair and honest. To attain that object I came to the following conclusions: 1st. To eliminate the details of common life and events of no interest to the public. 2d. To reduce the moral and religious speculations, in which the work abounds, so far as to escape repetition of sentiments once declared. 3d. Not to suppress strictures upon contemporaries, but to give them only when they are upon public men acting in the same sphere with the writer. In point of fact, there are very few others. 4th. To suppress nothing of his own habits of self-examination, even when they might be thought most to tell against himself. 5th. To abstain altogether from modification of the sentiments or the very words, and substitution of what might seem better ones, in every case but that of obvious error in writing. Guided by these rules, I trust I have supplied pretty much all in these volumes which the most curious reader would be desirous to know.

I am not unaware of the objections commonly made to publications of this kind, in their relation to opinions or action ascribed to other persons no longer in life to protect their own reputations, or who have left scanty means of rectification behind them. I fully admit the force of a remark attributed

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to a distinguished statesman, John C. Calhoun, in reference to any diary, that it carries conclusive evidence only as against the writer himself. Yet I cannot but add, on the other side, what is a fact remaining on record, that this eminent man, when attacked at a critical moment by bitter opponents, for certain acts done by him long before, did not hesitate to appeal to the writer of this diary, a colleague in President Monroe's cabinet, for reminiscences *drawn from this very book*, in his justification, and he obtained them, too. That a diary should furnish *conclusive* proof in any case can scarcely be assumed, in the face of the conceded infirmity of all human testimony whatever. The most that can be claimed for it is, that it shall be tested by the established rules applied to permanent testimony in all judicial tribunals.

Very fortunately for this undertaking, the days have passed when the bitterness of party spirit prevented the possibility of arriving at calm judgments of human action during the period to which it relates. Another more fearful conflict, not restrained within the limits of controversy however passionate, has so far changed the currents of American feeling as to throw all earlier recollections at once into the remote domain called history. It seems, then, a suitable moment for the submission to the public of the testimony of one of the leading actors in the earlier era of the republic. I can only add that in my labors I have confined myself strictly to the duty of explanation and illustration of what time may have rendered obscure in the text. Whatever does appear there remains just as the author wrote it. Whether for weal or for woe, he it is who has made his own pedestal, whereon to take his stand, to be judged by posterity, so far as that verdict may fall within the province of all later generations of mankind.

CHARLES FRANCIS ADAMS.

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MEMOIRS

OF

JOHN QUINCY ADAMS.

VOL. I.—1

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MEMOIRS OF JOHN QUINCY ADAMS.

CHAPTER I.

BIRTH AND EDUCATION.

It may reasonably be doubted whether any man ever left behind him more abundant materials for the elucidation of his career, from the cradle to the grave, than John Quincy Adams.

The eldest son of John and Abigail Adams, he was born on the 11th of July, 1767. The next day he received his baptismal name, at the instance of his maternal grandmother, present at the birth, whose affection for her father, then lying at the point of death, doubtless prompted a desire to connect his name with the new-born child. John Quincy was close upon his seventy-ninth year. A large part of his life had been spent in the narrow career of public service then open to British colonists in America. He had been twenty years a legislator, so far as the popular assembly had power to make the laws, and he presided some time over its deliberations. He had been in the executive department, so far as one of Her Majesty's council could be said to share in the powers of a governor deputed by the crown. And he had been a diplomatic agent, so far as that term could be applied to successful negotiations with Indian tribes. For these various labors he had received acknowledgments and rewards, the evidence whereof yet appears spread forth in the pages of the colonial records. The contrast in the scale of this career with that now to be shown of the great-grandson furnishes a notable illustration of the social not less than the political revolution which one century brought about in America.

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Twelve days before the birth of the child, the pliable but not maladroit Charles Townshend, in the British House of Commons, had entered upon what Burke designates as the fourth period of the Anglo-American policy of that time. Not insensible to the chance of grasping the highest prize offered to ambition in his country,—a prize then dropping from the nerveless hand of Chatham,—he bethought himself of a device which might at once win for him the favor both of king and commons. He would retract at least in part the mortifying concessions made to American resistance only the year before by the repeal of George Grenville's stamp act. He would re-establish the principle of taxation in a less exceptionable form. His plan met with favor, and, for a moment, nothing could seem more propitious to the fulfilment of his highest hopes. Unhappily, Townshend survived only long enough to know that the fruits which he expected to gather were to fall to other lips. But if Lord North was the person to enjoy the sweets, to him also was it reserved to taste the bitterness. And this sequence of events, involving the fate, not of that minister alone, but of myriads of the human race on both sides of the ocean, was to affect the fortunes of no single individual among them all more profoundly than those of the infant then lying in his cradle in the little village of Braintree, in the Massachusetts Bay.

Seven years passed away, and the disputes springing from this root of bitterness grew higher and higher. They agitated no household more than that in which this boy was growing up. His father, from pursuing a strictly professional life, began to feel himself impelled more and more into the vortex of controversy which was ultimately to bring on the collision of opposite forces. His mother's temperament readily caught the rising spirit of popular enthusiasm in the colony, and communicated it to her child. Then came the first fearful conflict of armed men, the sounds of which spread even to her own dwelling. She took the boy, then not seven years old, by the hand, and they mounted a height close by, there to catch what might be seen or heard of the fight raging upon the hill but a few miles away. Thus it was that she fixed in his mind an impression never effaced to his latest hour. Only two years

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before he died he gave expression to this feeling in a letter responding to a complaint made by a highly respected English gentleman, a member of the Society of Friends, deprecating what seemed an unfriendly spirit to Great Britain, shown in one of his last public speeches, in a manner so characteristic that it properly finds a place in this connection. Thus he writes in 1846 to Mr. Sturge, of Birmingham:

"The year 1775 was the eighth year of my age. Among the first fruits of the War was the expulsion of my father's family from their peaceful abode in Boston to take refuge in his and my native town of Braintree. Boston became a walled and beleaguered town, garrisoned by British Grenadiers, with Thomas Gage, their Commanding General, commissioned Governor of the Province. For the space of twelve months, my mother with her infant children dwelt, liable every hour of the day and of the night to be butchered in cold blood, or taken and carried into Boston as hostages, by any foraging or marauding detachment of men, like that actually sent forth on the 19th April to capture John Hancock and Samuel Adams, on their way to attend the continental Congress at Philadelphia. My father was separated from his family, on his way to attend the same continental Congress, and there my mother with her children lived in unintermitted danger of being consumed with them all in a conflagration kindled by a torch in the same hands which on the 17th of June lighted the fires of Charlestown. I saw with my own eyes those fires, and heard Britannia's thunders in the battle of Bunker's Hill, and witnessed the tears of my mother and mingled with them my own, at the fall of Warren, a dear friend of my father, and a beloved Physician to me. He had been our family physician and surgeon, and had saved my forefinger from amputation under a very bad fracture. Even in the days of heathen and conquering Rome, the Laureate of Augustus Cæsar tells us, that wars were detested by mothers, even by Roman Mothers,—'Bella matronis detestata.' My Mother was the daughter of a Christian Clergyman, and therefore bred in the *faith* of deliberate detestation of War, superadded to the impulsive abhorrence of the Roman mothers. Yet

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in that same spring and summer of 1775, she taught me to repeat daily, after the Lord's Prayer, before rising from bed, the Ode of Collins on the patriot *warriors* who fell in the war to subdue the Jacobite rebellion of 1745.

How sleep the *brave* who sink to rest
By all their Country's wishes blest!
When Spring, with dewy fingers cold,
Returns to deck their hallow'd mould,
She there shall dress a sweeter sod
Than Fancy's feet have ever trod.

By Fairy hands their knell is rung,
By forms unseen their dirge is sung,
There *Honour* comes, a pilgrim grey,
To watch the turf that wraps their clay,
And Freedom shall awhile repair,
To dwell, a weeping Hermit, there.

"Of the impression made upon my heart by the sentiments inculcated in these beautiful effusions of patriotism and poetry, you may form an estimate, by the fact that now, seventy-one years after they were thus taught me, I repeat them from memory, without reference to the book.[1] Have they ever shaken my abhorrence of *War?* Far otherwise. They have riveted it to my soul with hooks of steel. But it is to war waged by tyrants and oppressors, against the rights of human nature and the liberties and rightful interests of my country, that my abhorrence is confined. *War* in defence of these, far from deserving my execration, is, in my deliberate belief, a religious and sacred duty.

"*Dulce* et *decorum* est, pro patriâ mori."

The year before the event here described, the writer's father, as is stated in this letter, had been commissioned as one of four delegates of Massachusetts to attend a Congress at Philadelphia, with a view to mature a unity of action among the colonies. From that time his absences from his family necessarily became frequent and protracted. It was during one of these that the incident took place. The boy on this account became naturally

[1] There is but one error. In the fourth line of the second stanza, the word "watch" is substituted for "bless."

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more and more of a companion, deeply sympathizing with his mother. Hence it was that in a letter to her husband, she tells him that, to relieve her anxiety for early intelligence, Master John had cheerfully consented to become "post-rider" for her between her residence and Boston. As the distance by the nearest road of that day was not less than eleven miles each way, the undertaking was not an easy one for a boy barely nine years old.

Of course, the few facilities for education then within reach were materially obstructed, and remained so, even after the scene of war was removed farther south. It does not appear that the boy attended any regular school. What he learned was caught chiefly from elder persons around him. Those of whom he saw the most, outside of the family, were three or four young men still preparing, under the tuition of his father, to fit themselves for the legal profession, according to the habits of that time. But they, one after another, fell off, taking commissions to serve in the war, until but one remained, a kinsman of his mother, by the name of Thaxter, who subsequently became his father's secretary during his second mission to Europe. To him John Quincy was indebted for assistance more than to any one else outside of his family. Yet, after all, the fact remains clear that without the exercise of his own earnest will he would have made little progress. What he felt on the subject can be best collected from his own words. Here is a genuine boy's letter written to his father. It is dated in the same year that he became post-rider. It is given exactly as it remains in his own handwriting.

BRAINTREE, June the 2nd, 1777.

DEAR SIR,—I love to receive letters very well; much better than I love to write them. I make but a poor figure at composition, my head is much too fickle, my thoughts are running after birds eggs play and trifles, till I get vexed with myself. Mamma has a troublesome task to keep me steady, and I own I am ashamed of myself. I have but just entered the 3d volume of Smollet, tho' I had designed to have got it half through by this time. I have determined this week to be more diligent, as Mr. Thaxter will be absent at Court, & I

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cannot persue my other studies. I have Set myself a Stent & determine to read the 3d volume Half out. If I can but keep my resolution, I will write again at the end of the week and give a better account of myself. I wish, Sir, you would give me some instructions, with regard to my time, & advise me how to proportion my Studies & my Play, in writing, & I will keep them by me, & endeavour to follow them. I am, dear Sir, with a present determination of growing better, yours.

P.S.—Sir, if you will be so good as to favour me with a Blank book, I will transcribe the most remarkable occurances I mett with in my reading, which will serve to fix them upon my mind.

The following year brought the great change which gave a turn to the rest of his life. John Adams was commissioned by the Continental Congress to take the place at the court of France forfeited by Silas Deane. This was in the hottest part of the war. He accepted the post, and on the 13th of February, 1778, embarked from the shore of his own town in the little frigate Boston, lying off in the harbor waiting for him. His son went with him. After a stormy voyage the vessel reached Bordeaux, and landed her passengers on the 1st of April, 1779. They proceeded to Passy, in the environs of Paris, the place since made memorable as the residence of Franklin, but in which the other commissioners had also resided. Not many days were lost in putting him to a school close by, and here he acquired that familiarity with the French language which proved of such essential service to him in his subsequent diplomatic career.

He was eleven years old. It was then that the idea of writing a regular journal was first suggested to him. A letter to his mother, in which he explains himself, is of importance in this connection. It is given *literatim:*

PASSY, September the 27th, 1778.

HONOURED MAMMA,—My Pappa enjoins it upon me to keep a journal, or a diary of the Events that happen to me, and of

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objects that I see, and of Characters that I converse with from day to day; and altho. I am convinced of the utility, importance & necessity of this Exercise, yet I have not patience and perseverance enough to do it so Constantly as I ought. My Pappa, who takes a great deal of Pains to put me in the right way, has also advised me to Preserve copies of all my letters, & has given me a Convenient Blank Book for this end; and altho I shall have the mortification a few years hence to read a great deal of my Childish nonsense, yet I shall have the Pleasure and advantage of Remarking the several steps by which I shall have advanced in taste judgment and knowledge. A journal Book & a letter Book of a Lad of Eleven years old Can not be expected to contain much of Science, Litterature, arts, wisdom, or wit, yet it may serve to perpetuate many observations that I may make, & may hereafter help me to recolect both persons & things that would other ways escape my memory. I have been to see the Palace & gardens of Versailles, the Military scholl at Paris, the hospital of Invalids, the hospital of Foundling Children, the Church of Notre Dame, the Heights of Calvare, of Montmartre, of Minemontan, & other scenes of Magnificence in & about Paris, which, if I had written down in a diary or a letter Book, would give me at this time much pleasure to revise & would enable me hereafter to entertain my friends, but I have neglected it. & therefore can now only resolve to be more thoughtful and Industrious for the Future. & to encourage me in this resolution & enable me to keep it with more ease & advantage, my father has given me hopes of a Pencil & Pencil Book in which I can make notes upon the spot to be transfered afterwards in my Diary & my letters this will give me great pleasure both because it will be a sure means of improvement to myself & enable me to be more entertaing to you.

I am my ever honoured and revered Mamma your Dutiful & affectionate Son John Quincy Adams

Though the intention to commence this undertaking is thus declared, it does not appear to have been immediately executed. Six months had barely elapsed, and he had got well settled in

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his studies, when affairs took a turn which again broke up all regularity of occupations. His father, left without further public duties by the abolition of the French commission of three persons, decided to return home. The result was his acceptance of a passage in the French frigate Sensible, then ready to carry to America the Chevalier de la Luzerne, the first French envoy to the new republic, and his secretary, Barbé Marbois. Landed safely at home, he had scarcely resumed his old habits when another call came from the Congress to cross the sea again. Only three months intervened before he and his son were once more on the way to France in the very same vessel that had brought them out.

This irregularity of life could scarcely be deemed favorable to the boy's progress in learning. And yet it probably advanced an apt scholar like him far more than systematic instruction would have done. He was brought at once into close companionship with men of culture and refinement, much older than himself, whose conversation was worth listening to. The French minister and his secretary, afterwards the Marquis de Marbois, as well as the naval officers attached to the frigate, took much interest in him on the outward voyage; and on the return, their places were more than made up to him by the presence of Francis Dana, then going out on his mission to St. Petersburg, and of his kinsman and home teacher, Mr. Thaxter.

It was upon the entrance on this last voyage that he made his first attempt to execute the plan marked out in his letter of the year before. It still remains, in the form of two or three small books of perhaps sixty pages in all, stitched together under a brown paper cover. The first of these is prefaced by this title:

A Journal by J. Q. A.
From America
to
Spain Vol. 1.
begun Friday 12 of November
1779.

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The frigate sprang a leak on the voyage, which proved so serious that the commander decided to put in at the nearest port. This proved to be Ferrol, in Spain. The detention for repairs threatened to be so long that the passengers decided to leave her and make the best of their way overland to Paris. This journal, with the common details of rough travel, contains notes and observations upon the principal objects of interest pointed out on the way, much above the ordinary level of boys of twelve.

From this feeble commencement, the undertaking seems to have been prosecuted in a variety of shapes, not without interruptions more or less, until 1795, when what may be denominated the diary proper begins. For it was then he entered upon that career of public service which raises the record above the sphere of private life and makes it of historical interest. It is out of the materials furnished from nineteen thick quarto volumes, closely written, that the present publication is drawn. Of the preliminary and fragmentary portion, only that part will be used which is deemed necessary to a better comprehension of the remainder.

The first remark, which a perusal of these volumes suggests, relates to the singular manner of prosecuting his education. It would seem that after his return to Paris he went to school there less than six months. He was then transferred to the public Latin school at Amsterdam, under the arbitrary management of which he proved so restive that, four months later, he was removed to the University of Leyden, where he remained less than five months. This comprises all the systematic instruction he received prior to his admission to Harvard College, in the third year of the customary course. Hence it appears that the whole period of education at school and college received by him, prior to his entering upon his professional studies, barely exceeded three years. Yet the extent of his acquisition, if measured by the translations of the classics and other work left behind him, shows how little he confined himself to school routine, and how much he worked by himself. Doubtless he owed much to the supervision of his father, but far more was due to his own indomitable perseverance. He

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was eminently a self-made man in the broadest sense of the term, and not in that in which it is commonly used.

On the 7th of July, 1781, he, being then close upon fourteen years old, bade good-bye forever to all preparatory schools, to accompany Mr. Dana on his mission to secure for the still struggling government in America the sympathy of Catherine II. He acted in the capacity of a secretary, as well as of interpreter, for which last office his rapid acquisition of the French language had fitted him very well. The party started from Amsterdam on the 7th of July, but it was not until the 29th of August that they reached St. Petersburg,—a longer time, it may be observed, than it took the same persons to cross the Atlantic.

In the Russian capital the youth remained fourteen months. The Empress Catherine soon showed that she had no mind to raise unpleasant questions with Great Britain; and her scruples about recognizing the United States, Mr. Harris, the English Envoy, afterwards Lord Malmsbury, exerted himself efficiently to confirm. Hence it turned out that the mission proved wholly abortive in a public sense. But to the young man the time seems not to have been thrown away. Four little books contain a record of his reading of grave works of history like Hume and Robertson, then freshly issued from the press, of his translations of several of Cicero's orations, and of his large transcription from the most noted of the English poets, which last practice implanted in his breast a passion for versification that survived almost to his latest hour.

Finding that Mr. Dana designed to remain another winter, he, having nothing to do, decided, in the face of an arctic climate, to make his way back to Paris alone. On the 30th of October, 1782, he left St. Petersburg to go to Stockholm, which he reached on the 23d of November. Here he spent five weeks very pleasantly. On the last day of that year, he proceeded alone to Copenhagen; but the obstacles were such that it took him six weeks to get there. After some stay at that capital, he resumed his route; but such were the obstructions that it was not until the 20th of April, or nearly six months from the time of starting, that he found himself once more at his

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father's house at the Hague. He was at this time fifteen years old. A record of the greater part of this journey remains in his handwriting.

The negotiation of the final treaty of peace between Great Britain and the United States, the preliminaries of which had been already settled, was going on at Paris. He accompanied his father to that capital, was at once enlisted in the service as an additional secretary, and gave his help to the preparation of the papers necessary to the completion of that instrument which dispersed all possible doûbt of the independence of his country.

This event seemed in America like a lull of the boiling waters of the deep after a furious storm. The Continental Congress applied a part of its waning strength to the work of redistributing duties among the diplomatic agents remaining abroad. Meanwhile most of these were at Paris, awaiting orders. A residence at that brilliant capital, painful to John Adams whilst holding his former equivocal relations to the French court, now became highly agreeable. His satisfaction had been heightened by the arrival in England of the female members of the family, whom he had left under such different circumstances, and the son was sent to meet and escort them over. Greater rejoicing could scarcely be than in this happy reunion. The fearful struggle was over. Success had crowned the painful labors of five years of separation. And now remained the comparatively easy injunctions, to expand the national reputation by securing for it the recognition of the other great powers of the world.

To a youth of sixteen or seventeen a great temptation now sprang up, to waste his time in frivolities and dissipation. Some idea of the life he led may be gathered from the following extracts from his diary, which now begins to spread more into detail. Here is a specimen. In view of the fearful changes that followed not long afterwards, this narration retains even now something of its interest.

March 25th. Good Friday. Went in the afternoon to Longchamps; this is the last day. Every year, the Wednesday,

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Thursday, and Friday of the week preceding Easter, which is called *Semaine Sainte*, there is a kind of procession in the Bois de Boulogne, and it is called Longchamps. There are perhaps, on each of those days, a thousand carriages that come out of Paris, to go round one of the roads in the wood, one after the other. There are two rows of carriages; one goes up and the other down, so that the People in every carriage can see all the others. Everybody that has got a splendid carriage, a fine set of horses, or an elegant Mistress, sends them out on these days to make a show at Longchamps. As all the Theatres, and the greatest part of the public amusements, are shut all this week, the concourse is always very considerable; for those that cannot go there to be seen, go to see, and, as it commonly happens upon the like occasions, there are always twenty to see for one there is to be seen. It is very genteel, for there are always there some of the first people in the kingdom. The hours are from five to seven, by which time very few carriages remain there, for they all go off together; so that one quarter of an hour before the place is entirely deserted, the concourse is the greatest. The origin of this curious custom was this. There is a Convent of women, called *Longchamps*, somewhere near the Bois de Boulogne, where formerly there was some very fine music performed on these days, which drew a vast number of persons out from Paris to hear it; but one year there was an uncommon concourse, and some disorders happened, which induced the Archbishop of Paris to forbid this music on these days; but the Public who had commonly taken a ride round part of the wood after hearing the music, continued taking the latter part of the amusement when they were deprived of the first, and the custom has been kept up to this day.

After it was over we went and drank tea with Dr. Franklin. Saw Mr. Dalrymple there.

26th. Paris; afternoon. Froullé,[1] books upon astronomy. Went to see Mr. West and Mr. Waring, but neither was at home. Spent part of the evening with the Abbés.[2] While I was there a gentleman came in, who was a great partisan for

[1] A bookseller, whose shop the writer frequented.

[2] "Two Abbés, De Chalut and Arnoux, the former a brother of the farmer-

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animal magnetism, that he very strenuously defended. Speaking of Dr. Franklin, he said, "J'aime beaucoup M. Franklin, c'est un homme de beaucoup d'esprit et de génie; je suis seulement fâché pour lui qu'il ait signé ce rapport[1] des Commissaires." He spoke this with so much "naïveté," that I could not help smiling. When he went away, the Abbés told me he was a man with 50,000 livres a year, of an exceedingly benevolent disposition, and that he does a great deal of good. A sensible man, but very firmly persuaded of the reality of animal magnetism. *Mesmer*, the pretended discoverer, has certainly as yet behaved like a mountebank, and yet he has persuaded a great number of people, and some persons of great sense and learning, that he has made an important discovery. An extraordinary system, a great deal of mystery, and the art of making people pay a hundred louis d'or for a secret which nobody receives, have persuaded almost half this kingdom that Mesmer really has the secret that he pretends to have.

27th. Sunday. Mr. Adams[2] dined with Mr. de St. Olympe, and spent the evening at Mr. Jefferson's.

At about seven o'clock in the evening, the Queen was delivered of a Son, who is *Monseigneur le Duc de Normandie*. This is one of the most important events that can happen in this kingdom, and every Frenchman has been expecting it as if the fate of his life depended upon it. One would think that after having a Dauphin they would be easy and quiet; but, say they, the Dauphin is young and may die; and, tho' the King has two brothers, one of whom has several children, yet the capital point is, that the crown should pass down eternally from Father to Son; insomuch that they would prefer being governed by a

general of that name, and himself a knight of Malta, as well as of the Order of St. Louis, and both of them learned men, came early to visit me."—*Diary of John Adams*, 19 *April*, 1778. *Works*, vol. iii. p. 135. This intimacy seems to have been kept up for several years.

[1] This was an official report, made by a commission appointed under the authority of the king to examine into the merits of Mesmer's theory of animal magnetism. Dr. Franklin had been solicited to act as a member of this body, and consented. The conclusion to which they came, with his full concurrence, was that it was an imposture.

[2] The father of the writer.

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fool or a tyrant that should be the son of his predecessor, than by a sensible and good prince who should only be a brother. The cannon announced to us the birth of the Prince. The Queen was taken ill only an hour before her delivery, a circumstance which must have been very agreeable to her; for, a few minutes before she is delivered, the doors of her apartments are always opened, and everybody that pleases is admitted to see the child come into the world, and if there had been time enough, all Paris would have gone *pour voir accoucher la Reine.* The name of the young Duke of Normandy is not yet known.

28th. Snow in the morning sufficient to cover the ground. Dined at the Marquis de la Fayette's. When I arrived there the Marquis was not returned from Versailles, where he went last evening immediately upon hearing of the Queen's delivery, but could not get there soon enough to be present at the Christening. He told me a curious circumstance. The Queen was so large that it was suspected she might have twins, and *M. de Calonne*, the controller general, had prepared two *blue ribands* in case two Princes should be born; for the King's children must be decorated with these badges immediately after they come into the world. The Count and Chevalier de la Luzerne dined with us. After dinner I went with Mr. West to see Mr. and Mrs. Rucker, and afterwards we took a walk together in the Palais Royal. It is curious to hear the sagacious reflections and remarks upon the event of yesterday, made by the *badauds*, and it is pleasing to see how joyful, how contented they look. All take the title given to the Prince as no doubtless presage of his future conquests, and are firmly persuaded that it was expressly given to him that England may be a second time subdued by a Duke of Normandy. If they dared, they would mention another point, in which the pretended conqueror may resemble the real one. The *Palais Royal*, the Spanish Ambassador's hotel, the Hotel des Invalides, the Ecole Militaire, and several other buildings were illuminated in the evening.

29th. Dr. Franklin's early in the morning. Col. Humphreys breakfasted with us, and went with Mr. Adams to Versailles, where they were presented, *for the first time*, to the new-born Prince, who received them in bed; there were half a dozen

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ladies in the chamber. There were three beds joining each other, and in the middle one laid *M. le Duc*, probably that in the night one of the Ladies sleeps in each of the other beds, to prevent Monseigneur from falling out. The King was exceedingly gay and happy, and his brothers *appeared* so too.

30th. Mr. Adams dined at the Spanish Ambassador's, Count d'Aranda, an old man 70 years of age, who married last year a young woman of 20—peace be with him!

31st. Madame de la Fayette sent a card to offer us places for the Te Deum, which is to be sung to-morrow at Notre Dame, when the King is to be present. Mr. A. dined at Count Sarsfield's.

April 1st. The Marchioness appointed two o'clock for us to be at her Hotel. We dined at half after twelve, and were in the Rue de Bourbon at two, but it was too early. Mrs. Rucker, Mr. Jefferson, Col. Humphreys, Mr. Williams, Mr. West, went all with us. At about half-past three we went from the Marquis's Hotel, and by the time we got to the Pont Royal, both sides of the quay were so amazingly crowded with people, that there was but just space sufficient for the carriages to pass along; and had there not been guards placed on both sides, at a distance not greater than ten yards from one another, there would have been no passage at all for coaches; for, as it was, the troops had the utmost difficulty to restrain the mob. We passed along on the Quai des Augustins, till we came to the *Pont Neuf*, went over part of that, turned down into the *Isle de Notre Dame*, and then proceeded in a direct line to the Church. We were placed in a gallery that commanded the choir, and were in as good a place as any in the Church, which we owed to the politeness of Mme. de la Fayette.

In the middle of the choir below us, were several rows of benches, upon which the King's train sate when he came; while he and his two brothers were before all the benches, and directly opposite the Altar. When we arrived, we found the Parliament sitting in the choir on the right side, in scarlet and black robes; the Chambre des Comptes were seated in the same manner on the left side, in black and white robes. The Foreign Ambassadors were in an enclosure at the right of the

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Altar, and between them and the Parliament was a small Throne, upon which the Archbishop of Paris officiated. Soon after we got there, the Bishops arrived, two by two. There were about twenty-five of them; they had black robes on, with a white muslin skirt which descended from the waist down two-thirds of the way to the ground, and a purple kind of a mantle over their shoulders. The Archbishop of Paris had a mitre upon his head. When the King came, he went out to the door of the Church to receive him, and as soon as his Majesty had got to his place, and fallen upon his knees, they began to sing the Te Deum, which lasted about half an hour, and in which we heard some exceedingly fine music. The voices were admirable. The Archbishop of Paris sang for about a couple of minutes near the end, that it might be said he had sung the Te Deum—his voice seems to be much broken. As soon as the singing was over, the King and the Court immediately went away.

What a charming sight—an absolute King of one of the most powerful Empires on earth, and perhaps a thousand of the first personages in that Empire, adoring the Divinity who created them, and acknowledging that he can in a moment reduce them to the dust from which they sprung! Could we suppose their devotion real and sincere, no other proof would be necessary to demonstrate the falsity of the supposition that religion is going to decay. But oh! if the hearts of all those persons could have been sounded, and everything that was lurking there, while the exterior appeared offering up prayers to God, could be produced to light, I fear the rigid moralist would have a confirmation of his fears. The reflection of the Chevalier de Gouvion shows he was of this opinion. *I don't know*, said he, *whether all this will be very acceptable to God Almighty; but very few persons came here for him.* I was however vastly pleased with the Ceremony, and should have been so, if it was only that it gave me an opportunity to see so numerous an assembly of men of the first rank in the Kingdom. The King and all the Court were dressed in clothes vastly rich, but in no peculiar form. After the Ceremony was finished, we had to wait a long time for our carriages, and could not at last get them all; so that we were obliged to go away five in one chariot. We re-

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turned to the Hotel de la Fayette, and drank tea with Madame. A number of houses were considerably illuminated, but nothing to be compared to what there was six years ago, when the King's first child was born, although it was only a Princess.

We returned home at about nine, and were more than half an hour getting over the Pont Neuf, such was the crowd of carriages; in the passage of the *Cours la Reine* we saw a number of fellows throwing up the sand, to see if there were no 12 sols pieces remaining; for upon these occasions, when the mob cry out *Vive le Roi*, he throws out of his Coach handfuls of small pieces of money, and is thereby the cause of many a squabble, and some broken heads, though the Police is so attentive that few such misfortunes happen. The title of Duke of Normandy has not been borne by any person for more than three hundred years, until the birth of the young Prince.

All this was interesting for a young man to witness. Yet he was not unmindful of the duty calling him back. The state of his mind is best exposed in an extract from a letter addressed, the year before, to a kinsman of the same age, and contemplating the same career, in America:

"AUTEUIL, 14 December, 1784.

"You can imagine what an addition has been made to my happiness by the arrival of a kind and tender mother, and of a Sister who fulfills my most sanguine expectations; yet the desire of returning to America still possesses me. My country has over me an attractive power which I do not understand. Indeed, I believe that all men have an attachment to their country distinct from all other attachments. It is imputed to our fondness for our friends and relations; yet I am apt to think I should still desire to go home, were all my friends and relations here. I cannot be influenced by my fondness for the customs and habits of my country, for I was so young when I came to Europe, and have been here so long, that I must necessarily have adopted many of their customs.

"But I have another reason for desiring to return to my native country. I have been such a wandering being these seven years, that I have never performed any regular course of studies,

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and am deficient on many subjects. I wish very much to have a degree at Harvard, and shall probably not be able to obtain it unless I spend at least one year there. I therefore have serious thoughts of going in the Spring so as to arrive in May or June, stay a twelvemonth at Mr. Shaw's (who I hope would be as kind to me as he has been to you, and is to my Brothers) and then enter College for the last year, so as to come out with you. I imagine that with steady application I might in one year acquire sufficient proficiency in all the sciences necessary for entering the last year. However, I know not whether I shall do any of these things, for it is still very uncertain whether I shall return next Spring or not."

The hesitation is very apparent in this passage. Not long afterwards, intelligence came from home that John Adams had been designated by Congress to stand as the first diplomatic envoy of the emancipated nation, and claim recognition as such from the lips of an offended and mortified sovereign. It would doubtless have been very pleasant to the son to accompany the family to Great Britain, and to taste the first fruits of the national independence in its great capital. But the event only had the effect to determine his course the other way.

He gives his reasons in a passage of his diary, which seems to find its proper place here:

26th. I went in the morning to the Swedish Ambassador's Hotel, to go with Mr. d'Asp and see the Abbé Grenet; but I was too late, and Mr. d'Asp was gone out. I went to see Mr. Jarvis, and afterwards Count d'Ouradou, at the Hotel de Nassau, Rue de la Harpe. We agreed to go together to L'Orient. Went to see West, but did not find him at home. Walked in the Palais Royal, where I met Mr. Williams; and as I had sent our carriage back to Auteuil, and it was too late to walk home, I went with him and dined at Mr. Jefferson's. A few minutes after dinner, some letters came in from America, and I was informed by Mr. J. that the Packet, "Le Courier de L'Orient," which sailed from New York the 23rd of March, is arrived. Mr. J. and Col. Humphreys had letters from Genl. Washing-

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ton; and a letter from Mr. Gerry of Feb. 25th says, Mr. Adams is appointed Minister to the Court of London.

I believe he will promote the interests of the United States, as much as any man, but I fear his duty will induce him to make exertions which may be detrimental to his health. I wish however it may be otherwise. Were I now to go with him, probably my immediate satisfaction might be greater than it will be in returning to America. After having been travelling for these seven years almost all over Europe, and having been in the world, and among company, for three; to return to spend one or two years in the pale of a College, subjected to all the rules which I have so long been freed from; then to plunge into the dry and tedious study of the Law for three years; and afterwards not expect (however good an opinion I may have of myself) to bring myself into notice under three or four years more; if ever! It is really a prospect somewhat discouraging for a youth of my ambition (for I have ambition, though I hope its object is laudable). But still

> "Oh! how wretched
> Is that poor Man, that hangs on Princes' favors"

or on those of anybody else. I am determined that so long as I shall be able to get my own living in an honorable manner, I will depend upon no one. My Father has been so much taken up all his lifetime with the interests of the public, that his own fortune has suffered by it; so that his children will have to provide for themselves, which I shall never be able to do, if I loiter away my precious time in Europe and shun going home until I am forced to it. With an ordinary share of common sense, which I hope I enjoy, at least in America I can live *independent* and *free;* and rather than live otherwise I would wish to die before the time when I shall be left at my own discretion. I have before me a striking example of the distressing and humiliating situation a person is reduced to by adopting a different line of conduct, and I am determined not to fall into the same error.

This decision to go home made the turning-point of his life.

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An opposite one might have left him to share the fate of William Temple Franklin, a hybrid citizen claiming two countries and identified with neither. As it was, he obeyed his duty, and laid the foundation of that spirit of rigid personal independence which constituted one of the most marked features of his character.

After a period of preliminary studies, it was found that he had, in spite of all obstacles, made such good use of the fragments of his time that he could be readily admitted to advanced standing in the class then in its third year of the prescribed course at Cambridge. As a consequence, he resided at that place something less than two years, and graduated with honor in 1787. The exercise he was called to perform at the annual commencement, the second in the scale of rank, was an oration upon "the importance and necessity of public faith to the well-being of a government," a topic of deep moment to the country at that particular crisis, when the national character was just in the process of emerging from the clouds in which it had been enveloped by the Revolutionary struggle. This youthful essay seems to have produced an impression upon its hearers strong enough to induce a person then so esteemed as Dr. Jeremy Belknap to apply for a copy for insertion in the "Columbian Magazine," of Philadelphia. Not many youths have been so honored at that stage of their career. But a still more exceptional distinction awaited it. A few days afterwards a sharp criticism upon it appeared in one of the Boston newspapers. This event was more significant than the other. It portended the rise of a power to be developed throughout life much more by the opposition it roused than by the favor it conciliated. In political history it frequently happens that antagonism helps to bring to view the high qualities of a statesman much more than the most zealous friendship. In few instances has this observation been oftener verified than in that of Mr. Adams.

The next step to be taken was to choose a profession. In this there seems to have been no hesitation. He applied himself to the law under the guidance of Theophilus Parsons, then advancing in the course which ultimately brought him to the highest seat in the tribunals of Massachusetts. He resided at

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this time at Newburyport; and there Mr. Adams took up his abode for the three years of study required for admission to practice. The diary which he continued to keep gives a curious and not unattractive picture of the social relations prevailing in a small New England town at that period, but it does not seem to retain interest enough to warrant the occupation of space in this publication. It may be enough to note that on the 15th of July, 1790, he, being then twenty-three years of age, was formally admitted to practice as a lawyer in the courts of Essex County. On the 9th of August following, he removed to Boston and established himself permanently there. He was now fairly before the world, laboring to advance his fortunes by his own exertions. His father had been elected the first Vice-President under the new form of government just adopted by the people of the United States, which necessarily kept him much of the time at New York or Philadelphia. The son felt almost as much alone as if he had been an utter stranger. One consequence of this isolation was that the diary soon began to shrink, and for a time it disappears altogether.

Waiting for employment at the start is perhaps the most anxious period of life for most men. Two requisites for success are indispensable, neither of which can be confidently counted on prior to experiment. The first is opportunity. The second, aptitude to turn it to the best account. The lives of eminent lawyers in Great Britain and this country are filled with examples as well of protracted waiting as of the happy use ultimately made of the chance which opened a career. On the other hand, there is no record of the fate of probably much the greater number, who either waited in vain, or, if reaching an opportunity, failed to use it, and dropped at once into obscurity. Mr. Adams was not blessed with that sanguine temperament which goes so far to soften the rough or embellish the smooth paths all human beings are called to tread. He felt the necessity he was under to rely mainly on his own efforts for success. For his parents, though possessed of a moderate independence, were not wealthy, and they had several children. He was likewise sensible of the fact that his mode of life and education

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abroad during the early years when youthful intimacies take their shape, had isolated him in a degree from the sympathy of his contemporaries. His relations were to be made anew, almost as if he were a stranger. Such was the state of mind at the outset when business appeared to him slow in coming. At the same time, it must be said that his was not a nature to lose his leisure in idleness. His training, self-imposed from his earliest youth, made labor of some kind indispensable to his comfort. Very naturally his mind turned to the consideration of the public events immediately under his observation. They were of a nature too interesting not to fasten his attention at once.

The great struggle for independence had passed away. Next had come the labor of organizing a system of government, which had terminated with equal success. Then followed the process of establishing a policy, in regard as well to the internal concerns of the country as to its relations with foreign states. The ordinary method of discussing the various important topics growing out of this labor of instauration had been carried on through the public newspapers issued in some of the chief towns. In this way many strong minds were enlisted in the treatment of the critical questions agitating the popular mind. Hence sprang the papers by Hamilton, Madison, and Jay, which contributed so much to the final acceptance of the federal Constitution, afterwards collected into a volume, esteemed even now as the leading authority for the construction of the terms of that instrument. Hence came likewise numbers of similar contributions from various sources, touching the secondary questions ever springing out of the novel experiment. It is not too much to say of these papers that they form a body of contemporaneous exposition of the nature and policy of the government at the outset of its career, which will become of more and more interest to the philosophical historian as time goes on.

The period of leisure conceded to Mr. Adams whilst waiting for professional employment was one during which a great change was passing over the civilized world. The memorable eruption in France had shaken all the thrones in Europe. Men had taken everywhere to the examination of the foun-

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dations of human government. In Great Britain, Edmund Burke had thrown himself in the van, with his accustomed power, by his publication of the "Thoughts on the French Revolution," to which Thomas Paine had not been slow to retort in his essay on "The Rights of Man." On the merits of the questions thus presented people divided everywhere, and nowhere more earnestly than in America. No sooner did Paine's production find its way there than it was reprinted in Philadelphia, under the auspices, if not at the instigation, of Mr. Jefferson, who hailed it as an important instrument with which to counteract what were then believed by many to be dangerous tendencies towards monarchical institutions. The person aimed at as showing the strongest leaning that way was John Adams, who, in certain papers making their appearance in the customary channels, was engaged in philosophically analyzing the antiquated History of the Civil Wars of France, by Davila. Stimulated perhaps by this conflict of authority, his son prepared for a Boston newspaper, in his turn, a series of strictures on the pamphlet of Paine, which appeared in due course under the signature of Publicola. This was in 1791, when he was in his twenty-fourth year. Perhaps the strongly excited passions of the hour, the offspring of the upheaval of such deep social foundations, or else the suspicion that these papers were substantially prompted by the father, contributed to the result, but the fact is beyond doubt that they at once attracted great attention, not less in Europe than in America. They were reprinted in the papers of New York and Philadelphia, were generally read, and elicited numerous replies. If Mr. Jefferson's testimony may be relied upon, it was Publicola that forced Paine's pamphlet into notice, even though the latter had the great advantage of his own prefatory endorsement to recommend it. Be this as it may, the reputation of Publicola spread far beyond the confines of the United States. No sooner did the papers arrive in England than they were collected and published in London by Stockdale, who erroneously ascribed them to his father. But it was not there only that they were issued. Another edition, without the name of John Adams, was printed and published at Glasgow, in Scotland, and still a third at Dublin,

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in Ireland, each differing materially from the other. This fact, never known to the author himself, was only discovered by the writer, who accidentally met with copies of each edition during his residence in Great Britain, more than seventy years afterwards.

Paine's production had made so strong an impression upon the popular mind in that country that the government deemed it a proper subject for prosecution as a libel. The case was brought up for trial on the 18th of December, 1792, before Lord Kenyon.

It was upon this occasion that the Attorney-General, in opening the case, had recourse to this publication, written, as he said, "by an American gentleman of the name of Adams," and read from it several passages pronounced by him to be complete answers to the arguments of Paine. It is told of Erskine, at that time engaged in the defence, that he at once retorted, "How much better would it have been for the government to follow Mr. Adams's example, and, instead of prosecuting Paine, to refute him!"

Neither was the sensation made by this pamphlet limited to Great Britain. Its reputation spread to France, and elicited there a careful, well-written answer in the form of a pamphlet, issued at Paris, entitled "Essai sur la Constitution Française." How far Paine himself may have had any share in this paper there are no means of knowing, beyond the internal evidence, which would rather indicate a higher grade of scholarship.

These papers, eleven in number, are found in the files of the Boston "Centinel" for the months of June and July, 1791. The ability displayed in them was so marked that the authorship was generally imputed to his father, then Vice-President of the United States. So strong was this impression everywhere that the true author appears to have felt it his duty to introduce into the tenth number a formal contradiction of the story. At this day, no one who would take the trouble to compare the style of the two writers could fail to see the truth. No doubt, the popular error contributed somewhat to extend the circulation of the production; yet, making every allowance possible for this agency, it cannot be doubted that its intrinsic force,

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combining with the excitement of the time, was the real cause of its extraordinary success.

But though this first effort may be said to have established the writer's reputation for abilities, it affected his position only in so far as it might gradually attract attention to him in his profession. It was another attempt of the same kind which gave a new turn to the course of his life. This happened two years later, when the mission of Mr. Genest, as the envoy of the new French republic, stirred the whole country, as it involved the question of the policy proper for the government to adopt towards that power. In the cabinet of Washington, opinions conflicted just as they did among the people at large. Questions arose upon the reception of Mr. Genest, upon the effect of the Revolution on the guarantees in the treaty of 1778 with that country, and upon the adoption of an absolutely neutral policy, which opened an ample field for agitation in the newspapers. Mr. Adams entered upon it first, by writing three papers for the Boston "Centinel," under the signature of Marcellus. These were followed by another series, under the signature of Columbus, severely reflecting on the intemperate course pursued by Mr. Genest, which, being copied in the newspapers of the chief towns, attracted general attention and elicited many replies. One of these antagonists was James Sullivan, then Attorney-General, and afterwards Governor, of Massachusetts, who took the field in the columns of the Boston "Chronicle," the organ of the opposite class of opinion, under the signature of Americanus. Mr. Adams, in his turn, retorted with additional papers, under the signature of Barnevelt, which he succeeded in getting inserted in the very same journal, an unusual courtesy in that day from partisan papers in America.

This discussion placed Mr. Adams indisputably in the front rank of the controversial writers of his time. It displays all the characteristic touches which mark his later career, as well in their merits as in their defects; in abundance of knowledge, closeness of reasoning, and effective retort, as well as in that superabounding force of invective which sometimes presses an advantage perhaps beyond the limits of legitimate pursuit. It is much to the honor of Mr. Sullivan that so far from taking

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offence at the tartness of an antagonist so much his junior, he became so impressed by his ability as soon after to secure his services as a coadjutor in important cases in which he was himself engaged.

This controversy attracted much attention in the principal cities of the continent, and drew forth many comments. It fell under the eye of Washington, then President of the new government, and anxiously considering the very same class of questions in a cabinet almost equally divided in opinion. He seems to have been impressed by this proof of Mr. Adams's powers to such an extent as at once to mark him out for the public service at an early opportunity. It would seem that he first contemplated nominating him as District Attorney for the United States in New England. This project was laid aside; but four months later he determined upon placing him in the more congenial line of the foreign service. His father, still serving as Vice-President at Philadelphia, knew nothing of this decision until notified of it by the Secretary of State, three days before the nomination was sent to the Senate over which he was presiding. The executive records of that body show that on the 29th of May, 1794, a message was received from the President, of which the first paragraph is in the following words:

"I nominate John Quincy Adams, of Massachusetts, to be Minister Resident of the United States of America to their High Mightinesses the States General of the United States."

This nomination was confirmed the next day without dissent.

This account of Mr. Adams's youth, drawn from his own papers, is now brought down to the moment of his entry upon a public career. With very brief intervals, this was all of absolute private life he ever had an opportunity to enjoy. From this date his own record will come in to dispense with a necessity of further narrative. In publication nothing is left but the task of selection from superabundant materials, a task not unattended with difficulty. Although there is not a single line of the diary which, merely for the writer's sake, his best friend would wish to blot, there is naturally much which, for secondary reasons, he would scarcely care to make public. Much space is filled with ordinary details of no interest to later times,

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much in repetition of substantially similar ideas. The aim of the editor has been to unite, so far as possible, two distinct objects. The first, to present such portions as tend more directly to illustrate the personal character of the man, the nature of his mind and heart, as well as his ruling principles and passions; the second, to elucidate the history of important events with which he was more or less associated, or that fell under his observation. In connection with the first object, some criticism upon books read, and especially on religious topics, always more or less occupying his mind, has been admitted, which may seem to many readers rather tedious speculation. So, in dealing with the second, some space has been taken up in the exposition of minute details possibly tedious to modern impatience. All that can be said in excuse is, that nobody can precisely estimate what that happens in his own times will most fix the attention of later generations. But if reference be had to the past for guidance, it is indisputable that personal narratives of the eminent actors or thinkers of their day generally remain the most attractive portions of literature. The formal historian is but a gleaner from the same materials, which he often spoils by intermixing too much of the prejudices and passions of his immediate day. Thus it is that ancient Greek and Latin history is written even down to the present hour. Who can feel so confident that Thucydides or Tacitus truly delineated the eminent characters of whose action they treat, as he would be if he could judge for himself through access to direct testimony from their own hands? The only condition essential to fair judgment is, that the material should be furnished without essential manipulation either by friend or foe. It is claimed that in the present publication this condition has been honestly fulfilled. So far as the selection is concerned, it has been affected by no regard to the more or less favorable position in which the writer may seem to be placed by it. The object is as far as possible to present the man as he shows himself, and the time and people about him as he paints them from his point of view. These form the materials for history, rather than history itself. They abide the verdict of the latest because the most impartial posterity.

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CHAPTER II.

THE MISSION TO HOLLAND.

THE materials for this chapter are taken from two small paper books, closely written by the hand of the author, the predecessors of the more formal diary that follows. They relate to the time between his unexpected appointment on a public mission to Holland and the commencement of the fourth month of his actual service there. The record is not, however, continuous. There is a break in it from the day of his arrival at the Hague, on the 31st of October, 1794, to the first of the next year. It may have been caused by the uncertainty of his position, when everything about him appeared to be shaking. William V. had followed the lead of Great Britain, and joined the alliance of the powers of Europe adverse to the action of the French Convention. Robespierre had been overthrown, but the vigor of its military proceedings had suffered no loss by the change. A winter campaign was entered upon in the Low Countries, the unusual severity of which, instead of obstructing, only turned to the greater advantage of the invaders. The commander, General Pichegru, before the middle of January had succeeded in overcoming all obstacles to an advance, and in defeating the British and allied forces opposed to him, which determined the fate of Holland. Indeed, it only needed the presence of a protecting force from without to set in motion the popular sympathy of the Dutch and bring about a spontaneous revolution.

Mr. Adams had indeed been formally accredited at an audience granted by the Stadtholder so early as the 15th of November, before matters had taken a decisive turn. At that time hopes were probably yet entertained that the defence might be successful. But after the 10th of January there could

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be no doubt of the issue, and the only thing left for the Stadtholder was the mode of effecting a retreat. Although his struggle with the popular party had been constant, dating even before the American Revolution, when he had resisted in vain the policy of recognizing the new republic, and counselled harmony with Great Britain, there does not seem to have been much vindictive feeling towards him. On the 15th of January he formally proceeded to give in his resignation of his post to the States-General, as well as that of both his sons as officers in the army. He then quietly made the best of his way, with all the members of his family, out of the jurisdiction, and across the water to Great Britain. The States-General, on their side, immediately constituted themselves a republic, and awaited with few regrets the arrival of the French forces on their way to confirm this peaceful revolution.

On this occasion the diplomatic representatives of five of the great powers vacated their positions. On the other hand, that of Mr. Adams was favorably affected rather than otherwise. The dominant party was composed of the same persons who had carried the point in 1782 of recognizing his father as the representative of an independent republic. Hence he did not hesitate at once to recognize the new organization as the legitimate government.

With these explanations, it is believed that the allusions to these matters, in the diary which follows, may be readily understood.

On the 3rd day of June, 1794, when I returned to my lodgings at the close of the evening, upon opening a letter from my father, which I had just before taken from the Post-office, I found it contained information that Edmund Randolph, Secretary of State of the United States, had, on the morning of the day when the letter was dated, called on the writer, and told him that the President of the United States had determined to nominate me to go to the Hague as Resident Minister from the United States. This intelligence was very unexpected, and indeed surprising. I had laid down as a principle, that I never would solicit for any public Office what-

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ever, and from this determination no necessity has hitherto compelled me to swerve. From the principles of the same nature, which my father has always rigidly observed, I knew that no influence, nor even a request of any kind from him, could have occasioned this intention of the President. And yet I was very sensible that neither my years, my experience, my reputation, nor my talents, could entitle me to an office of so much responsibility. It is, however, of no service to indulge conjecture upon the subject.

On the 5th I received further letters from my father, informing me that the nomination had been made, and had received the advice and consent of the Senate, without a dissenting voice.

On the Sunday following, the 8th, my father arrived at Quincy from Philadelphia, and on Tuesday, the 10th, I went from Boston to Quincy to see him. I found that my nomination had been as unexpected to him as to myself, and that he had never uttered a word upon which a wish on his part could be presumed that a public office should be conferred upon me. His opinion upon the subject agreed with my own; but his satisfaction at the appointment is much greater than mine.

I wish I could have been consulted before it was irrevocably made. I rather wish it had not been made at all. My friends, on the other hand, appear much pleased with it, and seem to consider it as a subject of pure and simple congratulation.

12th. I received a letter from the Secretary of State giving me notice of my appointment, and requesting me to go to Philadelphia.

30th. I left Boston, and arrived the same day in Providence.

July 1st. Went from Providence down the river to Newport, where by contrary winds I was detained until the 5th, when I sailed in the packet Romeo for New York, where I arrived the next night, the 6th.

7th. I remained at New York, in order to get a little recruited and refreshed. I lodged at my brother-in-law, Col. W. S. Smith's. At dinner this day at his house, I met M. Talleyrand, the ci-devant Bishop of Autun, Beaumetz, member of the Constituent National Assembly of France, and Mr. De la Colombe, who was Aid-de-camp to M. de la Fayette, was with

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him when he left his own army, and made his own escape from the Austrians, in disguise.

Talleyrand and *Beaumetz* have both been Presidents of the Constituent Assembly in France; the former was the intimate of Mirabeau; great promoters of the Revolution, and among the first victims of it. The former, a man of high birth and a bishop, first made the motion for the confiscation of the ecclesiastical property. They are now here in banishment—excluded from France by the prevalence of a party different from that to which they belong; excluded from England for the part which they have borne in the French Revolution; this country of universal liberty, this asylum from the most opposite descriptions of oppression, is the only one in which they can find rest.

Talleyrand is reserved and distant; Beaumetz more sociable and communicative. It is natural to look with reverence, at least with curiosity, upon men who have been so highly and so recently conspicuous upon the most splendid theatre of human affairs. If indeed success is the criterion of political excellence, not one individual that has been hitherto actively engaged in the progress of the French Revolution has been equal to the situation in which he has been placed. The parties have successively destroyed one another, and in the general wreck it is not easy to distinguish between those whose fall has been the effect of their own incapacity, and those who have been only unfortunate.

Perhaps there never has been a period in the history of mankind, when Fortune has sported so wantonly with reputation, as of late in France. The tide of popularity has ebbed and flowed with nearly the same frequency as that of the ocean, though not with the same regularity. Necker, Bailly, La Fayette, Barnave, Pétion, Condorcet, Brissot, Danton, and innumerable others, have in their turns been at one moment the idols, and at the next the victims, of the popular clamor. In the distribution of fame, as in everything else, they have been always in extremes. And no doubt, among the great number whom it has pleased the Sovereign People to adore for a moment, there must be many very undeserving of their wor-

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ship; many ordinary characters, adapted only to the mediocrity of calm and quiet times, and whom nothing but the rapid circulation of a revolutionary period could ever have raised to be seen upon the surface. Whether the gentlemen of whom I am now speaking are of this description it becomes not me to say.[1]

9th. Arrived at Philadelphia.

10th. I waited on Mr. Randolph, who immediately accompanied me and introduced me to the President of the United States. He said little or nothing to me upon the subject of the business on which I am to be sent. All his directions and intentions on this head I am to receive through the medium of his Ministers. I dined with him, General and Mrs. Knox. Mr. Randolph and Mr. Bradford were there, and Mrs. R. Morris.

11th. The day on which I entered upon the twenty-eighth year of my age, I received my Commission from the Secretary of State. At the same time I began the reading of six large folio volumes, containing the despatches from my father during his negotiations in Europe. By the invitation of the President, I attended the reception he gave to *Piomingo* and a number of other Chickasaw Indians. Five Chiefs, seven Warriors, four boys and an interpreter constituted the company. As soon as the whole were seated, the ceremony of smoking began. A large East Indian pipe was placed in the middle of the Hall. The tube, which appeared to be of leather, was twelve or fifteen feet in length. The President began, and after two or three whiffs, passed the tube to Piomingo; he to the next Chief, and so all round. Whether this ceremony be really of Indian origin, as is generally supposed, I confess I have some doubt. At least these Indians appeared to be quite unused to it, and from their manner of going through it, looked as if they were submitting to a process in compliance with *our* custom. Some

[1] The long and chequered career of Talleyrand has settled the question in his favor; whilst Beaumetz has passed out of memory. He had been elected by the nobility a deputy to the States-General, in which body he took such a part after the union of the orders as to secure for him the honor of presiding over the National Assembly. Denounced in 1792, he left France, and is said to have wandered several years in various countries. The time and place of his death remain uncertain.

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of them, I thought, smiled with such an expression of countenance as denoted a sense of *novelty*, and of *frivolity* too; as if the ceremony struck them, not only as new, but also as ridiculous. When it was finished, the President addressed them in a speech which he read, stopping at the close of every sentence for the interpreter to translate it. I observed that the interpreter, at the close of every sentence, concluded by repeating the same word twice over. The sound was something like this, "Tshkyer! Tshkyer!" He always repeated them very rapidly, and as soon as he had done, the five Chiefs all together would utter a sound, importing their approbation. The sound was strong or faint, in proportion to the degree of satisfaction they had in what was said. But I can give no adequate idea of what it was by any combination of our letters. It resembled a horse's neighing as much as anything, and more than once reminded me of the Houynhms. Piomingo then desired he might be excused from giving his *talks* at this time, being very unwell, but promised to give them in a few days.

They then made several enquiries respecting the Cherokees who have recently been here. Their questions discovered a mixture of curiosity and of animosity. These two nations are at war, and the Chickasaws spoke of the others as a perfidious people. The *fides punica*, it seems, is not confined to civilized nations.

The informal conversation was held while wine, punch, and cake were carrying round. The President told them that the Chickasaws had always been distinguished as sincere and faithful friends, and that the United States always valued such friends most highly. They said nothing of their own sincerity, and made no answer to the President's compliment.

These formalities employed about an hour; after which they rose, shook hands with us all, and departed.

There was nothing remarkable in their appearance. Some of them were dressed in coarse jackets and trowsers, and some in the uniform of the United States. Some of them had shirts, and some had none. They were none of them either painted or scarified, and there were four or five who had rings in their noses. One or two had large plates, apparently of

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silver, hanging upon the breast, and I do not recollect observing any other ornaments upon them. I dined at General Knox's. Mr. Griffin, a member of Congress from Virginia, Mr. Maund, an English gentleman, settled in that State, and a member of their Senate, and the çi-devant Vicomte de Noailles, were of the company.

This is another illustrious exile from France — once a President of the Constituent Assembly, and the first who moved for the abolition of the feudal rights of the nobility, or for some other famous revolutionary measure. He fell with the monarchy; but by some good fortune, having originally left the country with express permission, he is not included in the full severity of the laws against emigrants. He purposes now to settle for life upon a newly-cleared place on the Susquehanna, called the *Asylum*, which really serves as such to many Frenchmen expelled from their own country by the violence of their internal feuds.[1]

We accompanied Mrs. Knox to the Theatre, which is spacious and elegant, and supplied with a very good company of performers. Part of the entertainment, however, we left, to go and pay the customary visit to Mrs. Washington. As this was merely a mark of respect, we retired as early as we could, and returned to the play. The remainder of the evening I was seated next to Mr. Fauchet,[2] the Minister Plenipotentiary from the French Republic. I found him tolerably conversable, but reserved. He appears to be not much beyond thirty. He spoke of the Abbé Raynal, whom he knew; but said he had seldom seen him in latter times, and without conversing on the

[1] He returned to France, took a commission in the army, and was killed in an action with the British fleet on the evacuation of St. Domingo by the French forces in 1803.

[2] One of the gravest embarrassments met with by the first administration, it is well known, grew out of the turbulent conduct of the diplomatic agents sent out by the revolutionary authorities in France. Mr. Genest soon gave an occasion to demand his recall, and his successor, Mr. Fauchet, was scarcely more fortunate. A despatch of his to his government, intercepted by the British, and by them communicated to the President, contained language so mysterious as to render his further continuance inexpedient. It likewise brought on the resignation of Edmund Randolph, the Secretary of State. Mr. Fauchet had already been superseded by Mr. Adet.

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subject of the Revolution. There was another man of letters, much his superior, the Abbé Barthélemi. I told him I had great veneration for his character, and had heard with great regret that he had lately "*suffered*." (I hardly knew how to express, with the delicate ambiguity which I thought necessary, the operation of the guillotine.) He assured me that the information was false, and that the Abbé Barthélemi was highly respected by the present ruling powers of France.

Milton's mask of Comus was one part of the evening's performance. "It is the work of a great man," said Mr. Fauchet. "Aye," said I, "and of a great republican. He wrote a book in defence of the people of England for beheading Charles the 1st." "That book," said Mr. Fauchet, "Mirabeau boasted of having made known in France, and published a translation of it, which he pretended was his own; but in reality it was an old one, which had been published many years ago." "Mirabeau's reputation," said I, "has undergone great revolutions since that of France began." "He was indisputably," said he, "a man of great talents; but as to his integrity the fact is not so clearly settled." "Was he a man of courage?" "On prétend que non." Everything was as guarded and cautious as this. "The accounts of success from the French are confirmed," said he, "and it is not improbable that on your arrival you will find the Stadtholder's Court at Breda. I have great hopes of that country. I think the seeds of a happy revolution are there; and always regretted that the patriots were abandoned and sacrificed. You will arrive at a very critical time. Important negotiations must take place at the close of the present campaign. The combined powers, Prussia, Austria, and Spain, must surely discover that they are laboring for an object, the success of which would be destructive to themselves. France once destroyed, and where will there be a power to balance that of England? They are wrong to abuse *Pitt* as they do. His plan is, in my opinion, vast and profound; and his execution has hitherto been equally artful. His object is to ruin France, to establish beyond control the power of Britain, and he has had the address to employ those nations, the most deeply interested against the system, to spend their blood and treasure in

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promoting it." I was content to be simply a hearer of these observations, and easily perceived the policy of Mr. Fauchet in advancing these sentiments. For if this be the system of the British Government, there is none of the European nations who ought to wish more earnestly for its failure than the United States. As a commercial people, we must very soon be their most dangerous rivals. As a naval power, we must in time be their superiors; and France being the only country in Europe that can pretend to cope with them on the sea at this time, their claim to the *dominion of the ocean* would be established beyond control by the destruction of the French power. In the triumphs of Britain, it would be absurd to expect moderation; and if, by the ruin of her rival, she could effectually secure the lordship of the waves, the United States would certainly be among the first to feel the insolence of her supremacy. This was not said by Mr. Fauchet; but it was an inevitable inference from his opinions, and I believe it has too much foundation. I have seen, however, in some of the opposition newspapers, a speculation in which the system is attacked, and the writer attempts to prove that by the destruction of France, England herself would be brought in jeopardy, and the power of Russia only would be so promoted and strengthened, as to become the tyrant of Europe.

12th. Dined with Mr. Hammond, the British Minister Plenipotentiary.[1] There was no other company, and we were tolerably sociable. It was the renewal of an old acquaintance, but I felt it necessary to be peculiarly cautious with the Minister of a Foreign Nation, with whom the United States are now engaged in a controversy which bears a very serious aspect. He spoke of the late speech of the Governor of Massachusetts, which appears to have given him much offence.[2] He seemed to wish

[1] The first Envoy sent from Great Britain to the United States.

[2] Samuel Adams, elected Governor of Massachusetts in the place of John Hancock, who had died in office the preceding year. In his speech at the opening of the session of the legislature, in the preceding month, he had taken occasion sharply to comment upon the course of Great Britain, as displayed in papers lately published, touching an address to the Indians by Lord Dorchester, then the Governor of Canada, about which a correspondence between the Secretary of State and Mr. Hammond had just taken place.

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me to speak of that Gentleman, and to expect that I should express not much respect for his character. I did not choose to gratify him; but spoke of the Governor in general terms, and with respect. I enquired if he had any further particulars than such as were public, relative to the late actions in Flanders. He said no. He affected to speak lightly of the Duke of York's defeat, as well as of the late proceedings in England, and the suspension of the Habeas Corpus Act. The Government there, he said, was infinitely stronger than ours, and even had fewer opposers. Personally, he said, he wished well to our Government, and hoped it would continue. But he believed that two-thirds of the people were opposed to it, whereas in Great Britain there was not more than one in a hundred hostile to their Government. I told him, that for the employment of force, the observation was just, and that our constituted authority could not venture upon measures so decisive as were adopted by theirs; but that as to a spirit of real hostility, I did not think it existed in the proportion of two-thirds, nor even of one, in this country.

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September 17th. I went on board the ship "*Alfred*," Stephen Macey commander, for London; together with my brother, and a servant. Dr. Welsh and Mr. W. S. Smith accompanied us on board the ship, and returned on shore as soon as we were fairly under weigh. My friends, Daniel Sargent Junr. and Nathan Frazier Junr., went with us down as far as the light-house. At ten A.M. we weighed; and just at noon were abreast of the Light. My friends then left us to return home. "The name of your ship," said Frazier, "is auspicious," and alluding to the new French Calendar, "You depart," said he, "on the day of Virtue, I hope you will return upon the day of Rewards." The pain of separation from my friends and country was felt as poignantly by me, at the moment when these two young men left the ship, as it ever has been at any period of my life. It was like the severing the last string from the heart. I looked back at their boat, as long as it could be seen, and when it had got out of sight, I did not, but I could have, turned my eye and wept. By two P.M. we were fairly at sea.

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October 14th. Discovered the Light House at Dungeness, at about 11, passed it between 12 and 1,—soon came abreast of the White Cliffs, so celebrated in song, and just after three, were opposite Dover. A signal was made for a pilot, who came immediately on board, in a small boat. The men in the boat then proposed to carry on shore the passengers, and after a little chaffering whether their extortion should amount to a guinea, or only half a guinea, for each passenger, they came to the latter price, and took us on board. They then discovered that the wind and tide had already carried us so far below the town, and the swell was so high, that we could not get back; and that we must land four miles below; from whence we should have an agreeable walk to Dover, and we could send our baggage forward easily, in a caravan. If however we preferred it, for an additional guinea they would carry us on still five miles further, to Deal, where we should find an Inn close upon the beach, and carriages for London, ready at any hour. Expostulation was useless, and, as the least of two evils, we chose to land at Deal. At five P.M. our boat was brought broadside towards the shore, and was driven up by one breaker after another upon the beach, until we could step on dry land, and we were fortunate that the swell there was very small, so that we did not get wet. Directly opposite our landing place, we found the Royal Exchange Inn, at which, with the highest satisfaction, we found firm footing once more; the twenty-eighth day after our departure from Boston. The passage has been favorable beyond my most sanguine expectations, and considering the flimsy, crazy condition of the old ship, her uncommon dulness of sailing, and the *mistakes* of our Captain, we must confess that our good fortune has been really extraordinary. However, the state of constant uninterrupted anxiety, which arose from the precarious tenure upon which we held our existence, and the alarm which every appearance of foul weather naturally excited on board such a ship, will I think induce me to avoid ever embarking in an eggshell again, to cross the Atlantic. It is the second time I have been in jeopardy from a leaky vessel. It behoves me to beware of the third. Yet I cannot answer for the inducement

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of a concurrence of circumstances like that which brought me on board the Alfred. From such a situation, it may well be supposed, I rejoice in being delivered; and the moment of landing this day, was one of those instants of real and perfect satisfaction which occur seldom in the course of human life.

15th. At about three this morning, we started from Deal in a Post Chaise, leaving my servant behind, to come on this afternoon, in the Stage Coach. Our road was,

From Deal to Canterbury . . .	22	miles.
" Canterbury to Sittingbourn	16	"
" Sittingbourn to Rochester .	11	"
" Rochester to Dartford . .	15	"
" Dartford to London . . .	14	"

The point of departure is from London Bridge, and the distance within the City is a separate calculation.

We breakfasted at Canterbury, at the most indifferent house we found upon the road. At Dartford we dined; and arrived at the Virginia Coffee House, just below the Royal Exchange, at about half-past seven in the evening. Just before we got to the London Bridge, we heard a rattling before us, and immediately after, a sound as of a trunk falling from the carriage. I instantly looked forward, and saw that both our trunks were gone. One of them contained all the public despatches which I brought for the American Minister here, and which was my principal inducement for coming here. For a moment, I felt sensations of the severest distress. But my brother immediately alighted, and found the trunk of despatches directly under the carriage. The other trunk was a few rods behind, and in half a minute more must have been crushed to pieces by the horse's hoofs, of a carriage which followed hard upon us. We secured them both inside our chaise for the rest of our way, and our driver assured us that the trunks could not have fallen, unless the straps had been cut away. On reaching our lodgings, and bringing our trunks to a light, we found the conjecture of our postilion was well founded; but whether his sagacity arose from his being privy to the villainy and concerned in it, or not, we had no means of determining; and as our things were saved, was of little consequence to us to know.

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But for myself, I felt the most exquisite satisfaction at this hair-breadth escape from a misfortune, which to my mind, as it respected myself personally, would have reduced me to the condition of regretting my other escape from the dangers of the seas. Entrusted with despatches of the highest importance, with numerous original documents relative to the depredations upon the American Commerce, now a subject of negotiation[1] between the two countries, with papers particularly committed to my care, *because* they were highly confidential, and the ground upon which I was directed by the President of the United States to take my passage first to London, in preference to an immediate opportunity for Amsterdam, with what a face could I have presented myself to the Minister for whom they were intended, to tell him that I had lost them on the way? How could I have informed the Secretary of State of the fate of his papers? What would have been my feelings on the reflection that they would probably all be put in the possession of the Ministry here? And how could I have supported the idea that the story, with a thousand alterations and aggravations, would be resounded from one end of the United States to the other? What a field for the aspersions of malice! What a fund for the suspicions of jealousy! What an opening for the insinuations of envy! And what a ground-work for the fabric of slander! Well then might I consider this instance of good fortune as more important to myself, and to my country, than my preservation, and even that of the papers, from the perils of the voyage!

Yet for the mortification of my vanity, I can attribute very little, if any, of my luck in avoiding this accident, to any precaution of my own. An extreme anxiety for the trust committed to me had indeed never left me, from the moment we landed at Deal; and I had been at the pains of having the whole package of two trunks changed there, that I might have my treasure under my own eye, rather than leave it but for a day in the custody of my servant. We set out so early in the morning, in order to reach London before dark; and as long as daylight

[1] This allusion is to the well-known negotiation of Mr. Jay, which ended in the treaty ever since associated with his name.

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lasted, my trunk had been scarcely a moment out of my sight. But we had not succeeded in finishing our journey before the night set in. The dexterous felony was committed in the shade of night, in the bustle of a London street, our carriage rattling over the pavements, and the noise of twenty others contributing to confuse our sense of hearing—half a minute more, and my trunk would have been irretrievably gone. That I heard the falling trunk early enough to defeat the intended theft, I can only consider as one of the most fortunate circumstances that ever occurred to me in the course of my life.

Had the misfortune really befallen me, I could not have imputed it, however, to any fault, or even to any deficiency, of mine. I had neglected no possible precaution; for the papers were too voluminous to be contained in a trunk which could have been carried within the carriage. And although the trunks were lashed before the chaise, the straps were cut by an invisible hand, when most assuredly there was nobody to be seen near them. There is but one method by which we can account for the performance of this ingenious trick. About three minutes before it was done, the chaise had stopped to pay the toll of a turnpike. A small child might, at that moment, have crept under the carriage, between the hind wheels, and fastened himself upon the perch; waited there until we were again in motion, then silently sever the ropes and straps with a knife or razor, drop from the perch, mingle with the crowd of passengers in the street, and wait with his accomplices to pick up the fallen goods as soon as our carriage should have been a few rods further advanced. This, I am told, is a practice not unusual among the skilful thieves of this metropolis, and seems to be the only possible means by which the attempt was made, which, so happily for my peace, and the welfare of my country, failed of success.

We took a chamber for the night, at the Virginia Coffee House; but after the accident that had happened, I could not think of sleeping with Mr. Jay's despatches in my possession. I therefore immediately took a hackney coach, and drove to the Royal Hotel in Pall Mall, where Mr. J. lodges. He was ill with a Rheumatic complaint, and has been for several days

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confined to his chamber; but upon informing his servant of my errand, I was admitted, and received by him with great cordiality.

Having delivered my despatches, and had a short desultory conversation of about half an hour with him, I took my leave, and returned to my lodgings; where on going into Mr. Walker's chamber, I found there my old friend, Tom Crafts,[1] and felt the most exquisite satisfaction in taking him once more by the hand. We passed an hour very happily in mutual congratulations and enquiries, and then severally retired to rest, where the pleasing reflection of having so far accomplished my voyage, and of having happily steered clear of so many perils, continued revolving in my mind, until I fell asleep.

To a person arriving from a tedious and uncomfortable voyage, the appearance of the country between Deal and this City is beautiful beyond description. The verdure of the fields, the luxuriance of the harvest, the infinite variety of delightful prospects, the apparent opulence of the Cities, the unrivalled excellence of the roads, of the travelling carriages and horses, the neatness and elegance of accommodations at the Inns, and the vast numbers of travellers, who seem to make the way, through the whole distance, little different from a street of public resort, all combining together, convey an idea of perfect enchantment. In every one of these circumstances, the country has very perceptibly improved since I last travelled this road, a little more than thirteen years ago.[2] They all seem to demonstrate the vast wealth of the Kingdom; and the perpetual recurrence of calls for money must convince every man that here, at least, it is considered as the supreme, if not the only good.

At the continual succession of objects to admire, which presented themselves to our view, during the course of this day, we might sometimes perhaps have gazed ourselves insensibly

[1] Mr. Crafts was graduated at Harvard College, in the class two years in advance of the writer. He died in 1798.

[2] This calculation would go back to the year 1781, before the close of the war, which is an obvious error. The writer did accompany his father over this same road in the month of October, 1783, that is, eleven years before.

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to stupefaction, had we not with equal frequency been called to satisfy the demands of postilions, of waiters, of hostlers, and of the whole tribe of servants, whose subsistence, by the custom of the country, is palmed upon the generosity of travellers and guests. It is one of the most troublesome inconveniences that are met with in this country, for as the quantum of the gratuity depends upon the pleasure of the giver, there is no standard by which to measure the proper compensation for the services performed; and four times in five these insatiable leeches are discontented with what is given them, and beg for more; which if refused, they turn away with an insolence of air and manner, not sufficient to warrant resentment, but always enough to be offensive.

Were I (as Mr. Walter Shandy says) absolute monarch of this Island, I certainly would make a regulation, that servants should be paid by their own masters. I would never allow of this privileged beggary, which will neither fix its demand, nor acquiesce in what it receives. As it is, I must submit to the custom; pay well, and hear their subsequent importunity with philosophical indifference.[1]

16th. Before we rose this morning, Tilly arrived in the Coach from Deal. We indulged ourselves, indeed, beyond the usual hour, and made it late before we went to breakfast with Mr. Jay. We found there a Mr. Pierpont, who has just arrived from France, and who gave us some account of the state of things in Paris, where the moderate party now prevails. Indeed nothing ever was more surprising to me, than when Mr. Jay, last evening, asked me whether the death of Robespierre was known in America before I sailed. I repeated with utter astonishment, "Robespierre dead," more times than was perfectly decent; and could scarcely believe I had heard right, until he assured me very seriously, that about six weeks or two months since, Robespierre, with a considerable number of his partisans, were accused, tried, condemned, and executed, in less than twenty-four hours, by a party of *moderates*, who had succeeded to his power, and from that day to this have

[1] This practice is not even yet wholly obsolete in England.

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loaded his memory with every possible execration, calling him by scarce any other name than *the Tyrant*, and imputing to him, and his system, all the horrible cruelties which have desolated the country for the last two years.

The party which began its career of power by ridding the earth of such a scourge, cannot fairly, on that account, be charged with having falsely assumed the title of moderates. And their conduct since that time has been such as to give them a real claim to the epithet. There have been scarcely any public executions, few arrests; and great numbers of prisoners released, who can attribute their present existence only to the fall of Robespierre.

After breakfast, Col. Trumbull, Mr. Jay's Secretary, went with us, and introduced us to Mr. Pinckney, our Minister Plenipotentiary at this Court, for whom I likewise had despatches.

18th. Went to Drury Lane Theatre to see *Henry the Eighth*, with a farce called *The Glorious First of June*. The house itself has undergone a thorough alteration since I was here before, and has been lately repaired at the expense, it is said, of a hundred thousand pounds. The house was thin, notwithstanding Mrs. Siddons appeared in the character of Queen Catherine. She is as much as ever, and as deservedly, the favorite of the public, but the enthusiasm of novelty is past, and her appearance alone no longer crowds the houses, as it was wont in the autumn of 1783. She performed the part of Catherine to great perfection; much beyond the excellence of Mrs. Yates, whom I once saw and admired in the same character. None of the other persons of the Drama were better, most of them not so well filled as at the former period; and in Wolsey, Bensley was a miserable substitute indeed for Henderson, who in this character used to excel himself. Palmer's Henry was very good, but all the rest were below the style of mediocrity. The farce or after-piece was a miserable compound of dulness and gasconade upon the subject of their late naval victory, which nothing but the ostrich stomach of national vanity could ever have digested, and for which even the undistinguishing palate of their heavy pride was obliged to affect a relish higher than it felt. The applause of the audience was frequent enough;

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but it was faint, and very evidently was bestowed by patriotism, at the expense of taste; for it is doubtless an unequivocal proof of patriotism to clap the hands at the stupid fustian of national adulation; and the puny cits and courtiers, who are idling in the arms of my Lady Peace at a play-house, think when they applaud this nonsense that they are rendering important services to their *King and Country*.

20th. I spent most of the forenoon at Mr. Jay's, in company with Mr. Pinckney,[1] in conversation upon the subject of the negotiation now on foot between the former of these gentlemen and the Ministry here. The plan of a treaty now in discussion was read, and then taken up, and considered Article by Article. The business, however, was not finished, and we adjourned over the subject for a further meeting till to-morrow. We dined with Mr. Jay, and afterwards I went with Col. Trumbull, and Mr. Peter Jay, son to the Minister, to Covent Garden Theatre. The performance of the night was *Romeo and Juliet*, with a pantomime called *Oscar and Malvina*, the subject of which is taken from Ossian. Juliet was personated by a Miss Wallis, who makes her first appearance on the London stage this season. Her external appearance has everything to captivate. Young, beautiful, and amiable in the highest degree, she is peculiarly calculated for characters in which these qualities are displayed. But her voice has hardly sufficient strength to fill the house, and she is not adapted to those situations where the energies of a sublime genius are required. In these talents Mrs. Siddons has yet no competitor; but for the soft and delicate graces, for the peculiar charm of female tenderness and sensibility, I have seldom seen an actress who could dispute the prize with Miss Wallis. Holman, in Romeo, was detestable. Lewis, in Mercutio, excellent. The Nurse was very well acted, and Friar Lawrence, tolerable; the rest were worse than indifferent; and the tout-ensemble of the performance was very little superior to that of Powell's Company at Boston, which I saw there last May. The pantomime of Oscar and Malvina was an insipid pageant, which was only made

[1] Thomas Pinckney, at this time the Minister from the United States accredited at this court.

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tolerable by the comparison with the stuff I had seen at Drury Lane.

In the interlude between the plays, the music struck the tune of *God save the King*. Immediately, a thunder-clap of loud applause burst forth from every part of the house, and the whole audience rose. They continued standing for as much as ten minutes, while the tune was played, clapping their hands, and crying, bravo! bravo! with as much enthusiasm as they could have done, had they felt all the interest they pretended. Pure patriotism again. All for the service of their King and Country. I am always averse to an appearance of singularity. I rose with the rest of the company; but I was under no obligation to join in the applause, and I could not help disdaining the baseness of their servility.

21st. Breakfasted with Mr. Jay. Mr. Pinckney and Mr. William Vaughan were there. We afterwards proceeded in the consideration of the projected Treaty till 3, but did not finish, and are to renew the subject to-morrow. We returned and dined with Mr. Jay, and passed an hour in very agreeable conversation after dinner with him.

22d. We passed this forenoon like the two former, and at length got through the discussion of the Treaty. It is far from being satisfactory to those gentlemen; it is much below the standard which I think would be advantageous to the country; but, with some alterations which are marked down, and to which it seems there is a probability they will consent, it is, in the opinion of the two plenipotentiaries, preferable to a war. And when Mr. Jay asked me my opinion, I answered that I could only acquiesce in that idea.

There are three points of view in which this instrument may be considered. As it respects the satisfaction to be received by the United States; as it relates to the satisfaction to be made; and as a permanent treaty of Commerce.

In the first place, the satisfaction proposed to be made to the United States for the recent depredations upon her commerce, the principal object of Mr. Jay's Mission. It is provided for in as ample a manner as we could expect. That complete indemnification will be made to every individual sufferer, I fear, is

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impossible; but as the evil is done and cannot be recalled, I know not well how we could require more than the stipulations of this treaty contain. The delivery of the posts is protracted to a more distant period than would be desirable; but the compensation made for the past and the future detention of them will, I think, be a sufficient equivalent. The commerce with their West India Islands, partially opened to us, will be of great importance, and indemnify us for the deprivation of the fur trade since the Treaty of peace, as well as for the negroes carried away contrary to the engagement of the Treaty, at least as far as it respects the nation.

As to the satisfaction we are to make, I think it is no more than in justice is due from us. The indemnity promised to British subjects, for their losses resulting from the non-compliance with the Treaty on our part, is to be settled in the same manner with that which our citizens are to receive, and in fact is to depend upon the fulfilment of their engagement to deliver the posts. The Article which provides against the future confiscation of debts and of property in the funds, is useful, because it is honest. If its operation should turn out more advantageous to them, it will be more honorable to us; and I never can object to entering formally into an obligation to do that which, upon every virtuous principle, ought to be done without it.

As a Treaty of Commerce, this Treaty will indeed be of little use to us—and we never shall obtain anything more favorable, so long as the principles of the Navigation Act are so obstinately adhered to in this country. This system is so much a favorite with the nation, that no Minister would dare depart from it. Indeed I have no idea that we shall ever obtain, by compact, a better footing for our Commerce with this country than that on which it now stands. And therefore, the shortness of time limited for the operation of this part of the compact is, I think, beneficial to us.

The Article proposed by Lord Loughborough, the Chancellor, is certainly extremely liberal; although Mr. Jay thinks it best to leave it as a subject for future consideration. It is, that in either country, the subjects or citizens of the other shall be

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exempted from *all the disabilities of alienage.* Such an Article would certainly tend to promote the friendly intercourse between the Nations, and I do not know that it could produce any material inconvenience to either. But it would be necessary to have an Act of Parliament to confirm the stipulation here, which, his Lordship says, may be obtained without difficulty. A more material obstacle arises from the Constitution of the United States, with one clause of which such an Article would certainly militate.

This nobleman, who, during the American contest, was so conspicuous in his opposition to our principles and pretensions, by the name of Wedderburn, has assured Mr. Jay that at present, that controversy having been once determined and the point of separation settled, his dispositions are perfectly friendly towards America; that he thinks it for the interest of both countries to assimilate and draw together as much as possible; and that his sincere wishes are to facilitate the most liberal and amicable intercourse.

The proposition which I have mentioned, and several others of inferior importance but equal liberality, seem to prove that his assurances are not disingenuous or false. And I think the intention of every man, who aims at levelling the barriers which perpetuate the unnecessary separation of Nations, and widen the distance between man and man, is at least deserving of applause.

We dined with Mr. Pinckney. Mr. Rutledge, and a Mr. Deas of Carolina, were of the company, as were also Mr. and Mrs. C. There was nothing particular observable in the former gentleman, and C. is the same prating coxcomb that he was ten years ago, though not quite so boisterous. He rattled away like a parrot, against the Ministry, who he said had no capacity, and defied the whole world to show one single wise measure they had adopted, since they entered into this foolish war.

The conversation happening to turn upon the success of Lord Cornwallis in India, C. affirmed that the Marquis was not entitled to any credit at all for what he had done there. It was impossible for him not to succeed. He went out with a force infinitely superior to any that had ever been employed in

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that country before, and the nations he subdued were totally unfit for war, and unable to contend with European forces. Lord Clive had done a thousand times more, with means incomparably smaller. Mr. Jay told him, he undervalued the character of the Indians, and said that he had always had a regard for Tippoo Saib, and his father Hyder Ali. "And for my part," he added, "I always wished them success." I was happy that in this respect my opinion coincided with Mr. Jay, notwithstanding C.'s confident assurance. His anti-ministerial invectives carried an appearance of affectation, as if he thought they gave him a kind of importance. In short, I can safely apply to him the observation which Dr. Johnson made respecting Churchill, upon being told that he had lampooned him under the name of Pomposo—"I always thought him a shallow fellow; and I still think him so."

When I came home, for the first time since my arrival here, I began upon my letters to America.

24th. Wrote letters, paid a few visits, and at five, went to dine with Mr. W. Vaughan. We found his father at his house. His brother Ben, it seems, is in Switzerland. The father is anti-ministerial, but finds it necessary to keep his opinions much to himself. He toasted the King, an external mark of loyalty, which no Englishman thinks himself at liberty to omit. He drank the Duke of Portland, whom he acknowledged to be a chaste character. But when *General Washington* was given, he filled his bumper to the brim, and took it off with an appearance of enthusiasm, which nothing before had excited. "Naturam expellas furca." The voice of a people accustomed to the enjoyment of freedom may be silenced, but the real sentiment will discover itself in other language than words. Mr. Bird, with whom we dined at Vallence, and his brother, were present. They are, I think, more friendly to this Government, though well disposed towards America.

25th. Dined with Mr. Ward N. Boylston, in Barnard's Inn, where he kept Bachelor's hall. Captain Mungo Mackay, Junior, of Boston, Mr. Walker, our fellow passenger in the Alfred, and an English gentleman, were there. Our dinner was properly American, consisting of salt fish, and beef steaks, after the

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manner of our country. Boylston is a little of the virtuoso as usual—shewed us several curiosities in his possession—gave us some of the genuine water of the Nile, which was clear as crystal, and sweet as if drawn from a living spring; and bread made of potatoes, which I could not have distinguished from the best superfine flour. He was economical of his Nile water, having only part of a bottle left. We all tasted of it except Mackay, who found a better relish in the excellent Madeira on the table, and who would not, while this could be had, have tasted a drop of water, were it from the fountain of Hippocrene itself.

Boylston's conversation is entertaining. He has travelled into the Holy Land, and gave us quite an amusing account of his pilgrimage. He has accumulated a great fund of anecdote upon every usual topic, and favoured us with much of it this day. He is very conversable, and talked upon so great a variety of subjects, that I should despair of doing justice to him, if I attempted to detail his observations.[1]

His uncle Tom. Boylston paid me a visit this morning. He has lately been liberated from the King's Bench prison, stripped of his fortune of nearly three hundred thousand pounds sterling, and reduced to a modicum, much beyond his wants, but fatal to the hopes of his ambition.[2] He told us of his will, made before his misfortune, and valued himself highly upon the magnificent things he meant to have done for the Town of Boston, and the State of Massachusetts. He seems to think the bare design entitles him to all the gratitude which could have been due to its execution, and wondered exceedingly that *after all he had done* for my country, I should scruple at giving him a certificate of his being a citizen of the United States. I am far from being certain of the fact, or I should have complied with

[1] This gentleman subsequently returned to Massachusetts, where he survived until the year 1828. His name is still remembered at Cambridge, by his benefactions to Harvard University,—esteemed quite liberal for that day.

[2] He lost this large property by a decision in Chancery, conceded since to have been erroneous. But the will referred to was so eccentric in its nature, that the town of Boston may be esteemed fortunate to have escaped the obligation to accept it. Even as it was, it proved fruitful of litigation, the evidence of which abounds in the reports of proceedings in the Massachusetts courts.

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his request, without hesitation. He says that he is generally considered here as an American spy, but I imagine his real character is as extensively known as his name. It is that of a man whose habits in his prosperity might have furnished a comic poet with ample improvement upon the scenes of Plautus or Molière—a man in comparison with whom Harpagon was generous, and Harpax a prodigal. He was however very civil to me, and invited me to dine with him. But our immediate departure for the Hague prevented me from accepting his invitation.

Mr. Edmund Jennings[1] also called on me this day. He looks older than when I saw him last, by more than the difference of eleven years; and there appears upon his countenance something which I think savours of dejection. He thinks that this nation, from the sovereign to the beggar, have a most inveterate hatred against America. I can hardly believe this to be the case. But it is nearer the truth than another opinion which I have frequently heard advanced, since my arrival; that this people are uniformly friendly to us, and scarcely consider us as a different nation from themselves. We have abundant reason to be convinced to the contrary of this, and I am satisfied they have not yet forgiven us the injuries we have suffered at their hands. Jennings says that he has it from such authority as is satisfactory to his own mind, that during the successes which attended the allied arms the last autumn, when they were feasting their imaginations with the immediate conquest of France, the King expected that as soon as that scheme should be accomplished, the force of the same alliance would be applied to the restoration of his dominion in America.

He spoke of the approaching trials for treason.[2] Upon these indictments, he said, It was a violently constructive treason—but it would do! It would do for these times! He expected many of the prisoners, if not all of them, would be found guilty and condemned and perhaps executed. But Hampden was found

[1] Of this gentleman, a fruitful source of dissension between the diplomatic agents of America during the Revolution, little is now known beyond what may be gathered from their published correspondence and some pamphlets now very rare.

[2] Of Watt and Downie, John Horne Tooke, Thelwall, and others.

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guilty. Russell and Sidney were found guilty. Sacheverell was found guilty. But it was remembered. This Government have drawn, and still draw the reins of power so tight that they will break. There will be an explosion before long. The completion of this prediction would not, I confess, surprise me. The extraordinary agitation of the Government, its apparent anxiety, and their present recourse to these measures of terror, strongly betray their consciousness that there is something rotten at the heart. But how Mr. Jennings came to mention Sacheverell among his list of patriots oppressed, I am at a loss to conjecture.

26th. After writing all the forenoon, at half-past three we went to dine at Mr. Hallowell's.[1] His Lady is very much of an invalid, but dined with us. Their son Boylston, their daughter, and Miss Fowler, a young lady from the country, constituted with us the company. Miss Hallowell is very accomplished, and converses with great ease and dignity of manners, but is not very handsome. She spoke of my mother in terms so affectionate, as could not fail to give me the highest pleasure; for I know of nothing that can give more sincere delight, than to hear the praise of those we love. That heart must indeed be strangely constituted, that can know my mother without being sensible of her excellence; but the sincerity which marked the warm expressions of regard used by Miss Hallowell respecting her, indicated to me a congenial disposition to that which she so justly admired.

27th. Mr. W. Vaughan called on us this morning, and engaged us to dine with his father at Hackney to-morrow. Dined at Mr. Copley's[2]—with Mr. Erving and his son, whom I knew last year in America, Mr. Clarke, Mrs. Copley's father, their son, and two daughters. The eldest daughter may be called hand-

[1] Mr. Hallowell had been collector of the customs at Boston prior to the Revolution, and left it on the breaking out of that event. His wife and the writer's grandmother were kinswomen, named Boylston. The son here alluded to, the same person referred to on page 51, had taken the name in default of male descendants in the other branches of the family.

[2] John Singleton Copley, the artist, and father of the Lord Chancellor of the same name, left America prior to the Revolution, and established himself in London, where he died at an advanced age in 1815.

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some, if not beautiful, and is very pleasing in her manners. There is something so fascinating in the women I meet with in this country, that it is well for me I am obliged immediately to leave it.

The packet from Harwich to Helvoetsluys is to sail on Wednesday, in the afternoon. I had concluded to leave the City early enough on that morning, to reach Harwich in time to take my passage. But I was told this day, that I should find it difficult, if not impracticable, to get there in season on the same day. As the situation of affairs in Holland is at this time so very critical, I have determined to lose no time in transporting myself thither. I resolved therefore to avoid all risk of arriving at Harwich too late for the packet on Wednesday, and for that purpose to leave town to-morrow at 2 P.M. and go about 25 miles on the way, so as to have an easy day on Wednesday. I retired therefore early in the evening from Mr. Copley's, to prepare for my departure.

28th. I found, notwithstanding I had taken great pains to be ready for this day, that I had a great deal of business crowded into the last five or six hours.

I called early this morning upon Mr. Jay. In the first place, having received no answer to a letter I wrote the American bankers at Amsterdam on my arrival, for a draught to give me a pecuniary supply here, I found myself rather short in the necessary article of cash. I knew of no person upon whom I could more confidently venture to call than Mr. Jay, and found myself not disappointed in my idea. He very readily gave me the draught I requested, and offered to extend his goodness. I thought best, however, to take only a supply for my immediate occasion, feeling highly obliged to him for this additional instance of his friendship.

I then requested him to favor me with his advice respecting the conduct which in my public character it would be proper to hold during the crisis in which that country now stands. He was equally indulgent on that head, and I believe I shall derive much benefit from his counsel. He said that I should stand in a situation extremely delicate; that the parties which so unhappily divide that country, to which I am

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sent, might very possibly press me hard on either side to show some preference or partiality; that I ought very cautiously to avoid it, and take no part whatever in their internal dissensions; that as to the possible revolution in Government to which they are now particularly exposed, in case an essential change should take place, the operation of my functions would cease of course, and it would not be advisable for me, upon any terms whatever, to do business with any new power that might arise, until I should receive instructions upon the subject; and in the meantime, I might write as soon as possible for eventual instructions; that if the French should obtain complete possession of Holland, and the Government of the country be actually dissolved, my best way will be to stay there, if I can with any possible convenience; but if I should be under the necessity of quitting the country, it will be more proper for me to retire to Hamburg, as a neutral city, than to come to England, or go to France, which might give occasion for censure, or at least for observations that would be unpleasant. And if the conquest should be so thoroughly completed as to extinguish the independence of the Nation itself, I may return home, rather than wait any great length of time for the regular recall.

29th. The road from London to Harwich is not so much travelled as that between Dover and the Capital; though it has been very much so, for several months, by the passing to and from the army on the continent. The roads are very little inferior, but the Inns, though very good, are not quite in a style of such perfect accommodation. The country is not in such exquisite cultivation, but is yet enchantingly beautiful; and the delightful prospects, which with endless variety appear in the most rapid succession, still exhibit to the admiration of the traveller scenes which almost realize the fictions of a fairy land.

It was about four in the afternoon when we reached the packet, and by five we were fairly under weigh, with a small but favorable wind. The vessel was almost as quiet as if we had been on land. Our passengers are twenty-five in number, and every name, language, and country, seem to be jumbled together in one cabin.

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For the twenty-five cabin passengers there are only sixteen beds, and the rest are to get their rest on the floor, as well as they can. There is one passage with two beds only, for the accommodation of ladies. They were taken by a Dutch West Indian lady from Surinam, and a negro wench she has with her. Mr. East, one of the King's messengers, a number of British officers going to the Army, these West Indians, a Dutchman belonging to the Hague, a German Baron, Frenchmen, Italians, Irishmen, Jews, &c., &c., all seem huddled together, as if the confusion of Babel was about to return. At about nine in the evening, I was compelled to seek my berth, for it was too cold to remain upon deck; and below, the bed, though barely of a size to contain a single person, was at least as roomy as any part of the cabin, crowded as it was.

30th. A fresh wind sprang up in the night, and carried us over with such rapidity that soon after daybreak we made the land on the coast of Holland—but, though not more than four leagues distant from the shore, it was not till afternoon that we reached it. The weather had grown extremely chilly and rainy, and the wind early in the morning became adverse. About noon a number of passengers went ashore in boats which came from the land; we were beating; and as long as a single passenger seemed disposed to go in the boats, we could not possibly get into the Port. But when all those who were in such a hurry to get ashore were gone, and those of us alone remained, who were determined to remain on board, we got in immediately. But although we were within ten paces of the wharf and it was difficult to avoid reaching it, the anchor was dropped so à propos, that we could not land without calling for a boat from the shore. At Helvoetsluys, we found all the miserable taverns so full, that we found with difficulty a house to give a temporary shelter from the rain for our baggage. The Commissaire rang his bell, and immediately half a dozen or more waggons appeared. The tray and three dice were produced, and the boers alternately threw for the lucky chance of shewing us insolence and extortion. Our company of the packet boat had by this time considerably dispersed. East was already gone forward. Some stopped for the night at

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Helvoet, and others got away before us. The waggons were light and open, and drawn by four stout horses to each of them. Six of us were permitted to take one waggon, but the driver insisted that our baggage was too heavy; that we must either take another waggon between us, or walk on foot ourselves. My knowledge of the language was next to nothing, that of my brother's servant literally nothing. We abandoned ourselves, therefore, to the conduct of two Dutch gentlemen, the one named Van den Berg, and the other Fortus. After the latter had contested some time with the boer, whether the waggon would or would not be too heavily laden with our weight and that of our baggage, he persisted in his opinion, and began to ascend the carriage. The boer, without ceremony, unhooks his four horses, and was driving them off. He knew that would bring us to terms. It is an invariable expedient with them. I have seen it often tried, and never fail, because the traveller in such cases has no remedy but acquiescence. Fortus, therefore, called back the boer, and appealed to the Commissaire. But his opinion was, that, the roads being very heavy, the waggons would only go the pace, and it would be much more comfortable to go to the Briel on foot, which we did accordingly.

We had only English money about us. Guineas being in great demand, a Jew offered my brother twelve guilders four stivers apiece for any he might wish to change. Fortus thought it was not enough, and said he would change one himself. He accordingly took one of my brother, for which he gave him twelve guilders, changed it again with a Jew for twelve and six, keeping the odd stivers, I presume, for his kindness.

We walked to the Briel a distance of about six miles. Our company again separated here. Mr. Fortus conducted us to a house kept by an old Scotsman named Lesley. Mr. Van den Berg lodges at the Doele.

31st. We took this morning the boat to cross the ferry at the Briel, with Mr. Van den Berg, the only one of our fellow passengers who yet keeps us company, as he belongs to the Hague. After passing the river, we took carriage and crossed a second ferry, at Maaslandsluys. We here took the treck-

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schuyt to Delft, and from thence to *the Hague*, where we arrived about five in the afternoon, and where we took lodgings at the Keyzer's Hoff.

* * * * * * * *

January 1st. Visited, in compliance with the custom, the President of the States General, the first noble of Holland, Count Wassenaar Starrenburg; the Councillor Pensionary of Holland, Van de Spiegel, and, in the absence of the Greffier Fagel, Mr. Van Lelyveld, commis of the States General. The President and Mr. Lelyveld were not at home, whereupon I left cards. The latter, immediately after, returned my visit by a card. Between two and three, went to Court, and soon had audience of the Prince Stadtholder. I have reason to be satisfied with the reception I have hitherto met with *there*. At about ten this evening had a visit by card from Mr. Plenti, Chargé d'Affaires of Sardinia.

4th. Returned Mr. Plenti's visit. Found him under the greatest apprehensions. Cold still severe.[1] Coming out of the Heeren Logement, saw two travelling Court carriages without baggage, window blinds up, one servant by the side of the coachman, going out of town. Mr. Bourne dined with us. Mr. Mersen came in after dinner. Mentioned the Princesses were to go on Tuesday to Soesdyk, to meet the Princess of Brunswick, the destined bride to the Prince of Wales. Perhaps the Prince Stadtholder might go with them. Perhaps they may go this night. These things show the danger apprehended at the present moment.

18th. To Amsterdam with the Post Waggon at nine in the morning. Arrived at Amsterdam about 4 P.M.—found it a moment of crisis. Saw Mr. Bourne several times in the evening. Mr. Willink, Mr. McEvers, Mr. Hubbard, Mr. Plenti, who appears very much embarrassed how to get away, and afraid of being stopped. Some symptoms of agitation among the people. General Golofkin, Commander of the garrison here, received this morning from General Daandels, Commander of the Batavian Corps, an *order* to surrender, and lay down their arms. A Batavian, by the name of Krayenhoff,

[1] The severity of this weather had been such as greatly to facilitate the advance of the French forces over the inundated land.

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who fled lately from this City, and is cited to appear on Tuesday next before the Court of Schepens, came this afternoon; exhibited to the Regency a commission constituting him Commander of this City. He demands of the Magistrates to abdicate their authority. In the evening, the three-colored cockade began to make its appearance in the streets; they were noisy through the night. The Carmagnole song, and the Marseillaise hymn, were everywhere singing. But no mischief of any kind took place.

19th. A noisy and tumultuous day, but witness to no violence, as was apprehended. At about ten in the morning, a detachment of twenty-five or thirty French hussars appeared before the Stadt House. The tree of Liberty was planted, the national flag displayed from its summit. A provisional municipality of twenty persons appointed by the revolutionary Committee, commenced their operations by dismissing the Regency. In the afternoon, the State prisoners lately confined were released, and Mr. Visscher appointed Grand Baillif of the provisional administration. The former guards and patroles are yet continued. Everybody else wears the three-colored cockade. Dined at Mr. Willink's. Mr. Bourne, Mr. Hubbard, Mr. McEvers, and a Dutch gentleman and lady unknown. Towards the evening, a troop of the people passing the house, gave it a cheer, and made demand of some money to drink, which Mr. Willink accordingly gave. Conversation with Messrs. Willink and Hubbard respecting our American affairs.

20th. The day perfectly tranquil. Everything hitherto has passed without the smallest disorder. General Pichegru, and about two or three thousand of the French troops, entered the City this afternoon. The General is lodged at the house of Mr. Hope, which was vacant. The Commissioners lodge next door at Mr. Muilman's. The troops are quartered upon the citizens. Any further arrangements, civil and military, are equally unknown.

21st. Conversation with Mr. Bourne upon the state of affairs. He was to dine with us, but was called away to the Stad house, to a public dinner, given to the Représentans du peuple Français. Mr. McEvers dined with us. He went afterwards with

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my brother to the play, which opens this evening with "Gaston et Bayard," in Dutch. The news there received of Breda and Bergen op Zoom being taken. Acclamations thereupon.

22d. Paid a visit with Mr. Bourne and my brother, to the Représentans du peuple Français, and was received with civility. Principally complimentary in their fashionable cant, which I adopted in all its forms. They told me they received the visit of the *citoyen Ministre* of a free people, the friend of the peuple français, with much pleasure. That they considered it *tout à fait* as a *visite fraternelle*. I told them that hearing of their arrival, I felt myself obliged to present my respects to the Citoyens Représentans of the peuple français, for whom my fellow citizens have the greatest attachment, and to whom they were grateful for the obligations under which they felt themselves to the French nation, &c. The substance of the business was, that I demanded safety and protection to all American persons and property in this country; and that they told me it would be under their safeguard in common with those of the country, and of other strangers here; that all property would invariably be respected, as well as persons and opinions; that if hereafter there should be any occasion for exceptions, they would make the strongest representations to their constituents in behalf of Americans. They spoke of the President, whom, like all Europeans, they called General Washington. Enquired his age, and on being told, said he might still long enjoy his glory; that he was a great man, and they had great veneration for his character. They observed that a Treaty of Commerce had lately been concluded, between Great Britain and the United States, by Mr. Jay. They were emulous to surpass one another in expressions of inveteracy against England. One said she was their most obstinate enemy; another, that she was their *only* remaining enemy; a third, that she had always been their enemy; a fourth, that she was the enemy of all the maritime powers. They said, however, that America, not having a Navy sufficient to protect her commerce against Britain, and *having no possessions of that power near them, which she could attack by land*, was right in maintaining peace. They acquiesced in the observation of Mr. Bourne, that this peace was even for

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the interest of France, because it enabled us to supply her with provisions and other necessary articles, which, in case we were at war, could not be done.

They spoke of Mr. Monroe's reception by the National Convention. "Parbleu," said one, "it was a scène attendrissante." It was "*une des plus fameuses séances*" of the Convention. There were more than ten thousand persons present. "He shed tears, he was so much affected. I saw him cry." "Ah!" said another, "ç'était aussi bien de quoi faire pleurer." Then they said one of the flags had been sent to America. In short, the national character appeared in nothing more conspicuous than in the manner in which they spoke of this occurrence.

They inquired if Mr. Morris was in Switzerland. I answered them, I did not know; that I had no personal acquaintance with Mr. Morris.[1] "Ah!" said the Citoyen, who appeared to be at the head of the deputation, "La France sait parfaitement qu'il est en Suisse." He spoke with peculiar emphasis, but I did not think proper to make any further enquiry of him on the subject.

They asked me if I had ever been in France. I answered that I had. That I received part of my education, and had resided there several years; that I had therefore from my infancy every possible reason to form sentiments of admiration and of affection for the French nation. Whereupon they replied that the Représentans du peuple Français were delighted to hear me say so. Thus ended the conversation, upon which we withdrew. Mr. Faesch paid me a visit, and mentioned some particulars of the Stadtholder's quitting the Hague. The circumstance appears to affect him.

23d. Weather still excessively cold. Dined with Mr. Hubbard. Went in the afternoon with Mr. W. Willink to the concert "felix meritis," a patriotic society, where the Représentans du peuple Français, the Etat Major, etc., were present. Mr. Visscher, who has now the post of Grand Officier, was there. The Marseillaise hymn was very well performed. There was

[1] Gouverneur Morris, the first Envoy from the United States to France after the adoption of the federal Constitution. He had somewhat committed his neutral position by sharing in the counsels of the sovereign and the court, in consequence of which he was ultimately recalled.

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some clapping of hands, some testimonies of applause, but they were faint, cold, and lifeless. Yet all here were patriots.

I forgot to observe, that as we were going to Mr. Hubbard's we saw a Jew lying in the street, apparently at the point of death. Three or four persons were around him, Christians and Jews, who seemed to throw upon each other the burden of giving him any assistance whatever. They said he had the falling sickness; but upon a piece of bread being held to his mouth, the convulsive manner in which he snapped at it, though he had apparently lost his senses, discovered that his only falling sickness was hunger. After some altercation whose *business* it was to relieve him, he was carried into a neighbouring tavern, and recommended to the care of the woman who kept it.

24th. Visited Mr. Schimmelpenninck this morning at nine, and had a short conversation with him upon the present state of affairs. He said he believed the *substance* of the old institutions would still be retained here, simply changing the high-sounding names for more civic expressions. That the French Commissaires concurred in the opinion with them, that this would be the best provisional mode of proceeding, and had promised to support them in it.

25th. At home the whole day, writing. Visit from Mr. Bourne, Mr. Dutilh, Mr. S. Gravenswerd, Mr. Alstorphius, who appears to be in fine spirits. Patriote à brûler, he said he was, when I was here before. He is much pleased with his French visitors; and as to the quartering of the troops, he tells his neighbors, if they do not like their guests, to send them to him.

26th. Visit to Mr. W. Willink, who was not at home, but at whose house I found his brother John. He has within these few days lost his father-in-law, and appears to be affected with the misfortune. The eldest brother is on the new Committee of Finance. He says the new States of Holland are to meet immediately at the Hague. The Commissaires are now there, lodged in the Palais Stadhoudérien, and General Pichegru at the Vieille Cour. Mr. Faesch was not at home. Went to the play in the evening. The tragedy of "Hypermnestra," with the comic opera "Les deux chasseurs et la laitière," in Dutch, were performed. The house thin. The patriotic airs were per-

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formed; a ballet representing the erection of the tree of Liberty was received with much applause.

29th. Passed the evening, and supped, at Mr. Hubbard's. He quarters a chef-de-brigade du génie, who was with us, as was Mr. Van Eeghen, both very sensible men. The officer's name is Verrine, a man of great simplicity of manners. He was a lieutenant at the beginning of the Revolution, and has now become a general officer. Has been in the war of the Vendée, in the campaigns of Custine, and in the last campaign of eighteen months. Neither Custine nor Dumouriez, he says, were great Generals, but Custine was personally brave, at least at times. His observations upon many subjects were cool and rational. But his discretion was as remarkable as his modesty. He read us however, in answer to some questions relating to the actions of the 8th & 9th insts., some passages in his journal; and in one, where he mentioned a mistake of the General in Chief, he had added, "ainsi les rapports du Général ne sont pas ce qu'il y a de plus sûr au monde." His principal attention appears to be towards military subjects. There appeared to be no sort of enthusiasm about him.

Van Eeghen is a member of the new Committee of Finance, and appears tolerably well reconciled to the Revolution and present course of things. Even the established rule of allowing no refusal to offices, he thinks was necessary on the present occasion, although he was compelled by it reluctantly to engage in public affairs. He seems, with others, to be deeply sensible of the deranged state of the finances here. The deficiencies must be greater than they expected. Hubbard is dissatisfied with everything but the Committee of Finance. He has hardly discretion enough in concealing or disguising his sentiments. His wife is still less so, and said, if they put her in requisition, she would kill herself. "Madam," said the French officer, "your children put you in requisition every day." The subject of requisitions is terrible; that of Assignats as bad; and the Stadhoudérien party's policy now is to make the greatest outcry possible, at the smallest inconvenience. They will before long discover the operation of this system, which will assuredly not help them. The quartering of troops was the first com-

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plaint. But this evil being really light, people have accustomed themselves to it. At every new measure, the Orangists will certainly yell still. The patriots will in time grow angry. They have the power in their hands—and then——

Upon my observing to the officer, that their army was under very good discipline, he answered that they were partly so. That offences which immediately affected operations against the enemy were punished with sufficient severity. Every act of *pillage*, of *drunkenness*, and of *cowardice*, is capital; all upon the same principle—because they render the offender incapable to do his duty and be at all times prepared for action. But the deficiency is with respect to minor faults, and the small police of regularity. They want cleanliness, exact subordination, attention and economy of clothing. The consequence is unfavorable to their health, and occasions a prodigious waste. Their shoes—their coats—their linen, do not last a fourth part of the time they ought. The army, under proper regulation, would not cost a tenth part what it has—and of all this the Convention takes no notice whatever.

31st. Took passage in the Post Waggon at nine this morning, for the Hague. We had two companions in the carriage, Germans, speaking no other language than their own. Of course we had not much conversation. Arrived at the Hague between four and five P.M. We had scarce got into the house, when two persons came from Mr. Beeldemaker, to ask for him an introduction to the Representatives of the French people. Wrote a line for him accordingly. Paid a visit to Mr. Dumas[1]—found him sick, but in good spirits. The Revolution has gratified almost all his passions.

February 1st. Received two or three visits from people on errands not pertinent to me. Mr. Beeldemaker preferred going with me to visit the Representatives, rather than carry his letter. We could not see them, however. I left word as to my business. I found Beeldemaker's was to recommend himself as a commercial house.

[1] Of Mr. Dumas much may be found in the diplomatic correspondence of the Revolution. His services to the cause of America had been constant throughout that period. He subsequently became a violent partisan of the French Revolution.

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2d. Visit to Mr. Scholten. He has a paymaster quartered in his house; appears to be quite easy. To Mr. Mersen, who is laid up with the gout. Told me some particulars of the Stadtholder's departure.[1] He talked to many of the people as he went along; wished them well; said he always had their happiness at heart. The Princess was furious. The hereditary Princess, resigned to anything but going to England. Prince Frederic[2] is very averse to going at all. Said he had done nothing but his duty. Had served his country, and had committed no faults unless of inexperience, which could not be criminal. He could not bear to fly like a malefactor; and finally submitted only upon the express and positive command of his father. These anecdotes, whether true or false, are characteristic of the several reputations. The Stadtholder himself is well disposed, with a good heart, and a feeble mind. He is the man of his councils, and not of his own energy. The Princess, detested almost universally. Haughty, domineering, incapable of submitting to misfortune with dignity, when she found her power at an end, and no resource for personal safety but inglorious flight, in an open, paltry fishing boat, in the extreme severity of a season almost unexampled, she could no longer contain her passions, but broke out in transports of rage, until she was totally exhausted, and sank into a state of sullen apathy. The hereditary Princess was beloved. Her youth, beauty, innocence, and affability of disposition, all recommended her to compassion; and the interest in her favor is increased by attributing to her so popular a sentiment as an antipathy against England. Her husband seems to bear no character at all. He is cold, reserved, and unamiable, without being positively hated. Nothing is said of him. Frederic is the favourite, and therefore he is supposed to have gone with great reluctance.

The Representatives sent me word that they would see me

[1] This event took place on the 16th of January. The Stadtholder, William V., then took a formal leave of the States-General, and demanded their acceptance of the resignation of his two sons, which was acceded to. The next day, the Princess of Orange, his wife, with the wife of the eldest son, and her child, a boy, went to Schevening, where they embarked for England in the manner here described.

[2] The younger of the two sons.

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when I pleased. I visited them in the evening to demand a passport for Mr. McEvers, and the permission to an American vessel at the Texel, entered since the arrival of the French here, to depart. They promised it should be immediately done, demanding however, for their justification, a claim from me in writing, to which I agreed. In conversation, they spoke of my father in a complimentary style. Enquired if I knew Mr. Monroe, &c. I observed I had been more acquainted with his predecessor Mr. Jefferson, who I believed was still remembered in France with pleasure. Yes, said the deputy, with more pleasure, to tell the truth, than Mr. Morris. They appeared doubtful whether Morris was yet employed by the Government of the United States or not. The drift was evident, and I told them that he was not, to my knowledge and belief. They said Mr. Morris was in Switzerland at Basle, intriguing, and the soul of councils against France; but his manœuvres were perfectly known, and it was to be hoped they would do no harm. I said that if Mr. Morris was doing or attempting anything against the interests of France, it was most assuredly not by any authority from the United States; that I knew perfectly well the disposition of the American councils was very far from being unfriendly to the French Republic. He said they were fully persuaded of it, and what had happened sufficiently proved it.

They were very glad, he said, to have the Ministers of their friends here, to witness their conduct, and see what was the manner in which the French people answer calumny. It is to be hoped (he added) that it will do away some of the impressions produced by the representations which Messieurs les Emigrés have been pleased to make of us. Calumny is one of the weapons which has been used against us. We hope it will not be more successful than the others. I said the weapon would soon lose all its efficacy, by such examples as they had shown here.

I left them; and soon after my return home, Mr. McEvers called on me, just arrived from Amsterdam.

3d. Addressed the demand for a passport in writing, &c., to the Commissaries, and carried it myself. They soon after addressed the passport, and notice of their having given the order, to me.

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The President of the Assembly of Provisional Representatives of the People of Holland, addressed me a notification of the Assembly, of the Aboli ion of the States of Holland and West Friesland; of his being President of the new Assembly, and of his being substituted to perform the functions of the Councillor Pensionary. Answered that I thanked him for the notification, and would, as soon as possible, advise the American Government of it.

Upon some doubts occurring in my mind as to my own conduct at present, I repeated the stupidity, which my former experience had proved to be such, of consulting Mr. Dumas; and not only so, but had the weakness to be put out of temper, by his extravagance and absurdity, so far as to tell him that he answered me more like a Dutch patriot than an American. Nay more, I could not even refrain from uttering some scruples as to the question whether the new Provincial Assembly be really chosen by the people; but from this subject I soon desisted. The simple hint put him in a passion. In short, the man is impracticable.

Visited Messrs. Schubart and Araujo, the Danish and Portuguese Ministers, neither of whom was at home—then, the Général en chef, Pichegru, with whom I had a conversation of about a quarter of an hour. He turned it very soon from the subject of his campaign to enquiries upon American affairs. This man is systematic in retiring from public display, and he is the more successful for it. The questions he asked were concerning the late Western Insurrection—our differences with England—the tribes of savages—the state of our public force —but particularly as to our paper currency in the late Revolution, what had been done with it, and how it had been funded. Upon all these subjects, I answered him as well as was in my power. He asked whether I thought Great Britain sincere in the intention to perform the treaty lately concluded. I said we hoped she was sincere, as we wish to live at peace with all the world.

A man who in three years' time rises from the rank of a Serjeant of Artillery, to that of Commander in Chief of an army of one hundred thousand men, and, in the last capacity, performs a campaign like that of Pichegru since last March, deserves particular consideration. His person has nothing

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remarkable. His stature is of the middling size; his person well formed; his countenance manly, but not handsome nor impressive; his manners easy and graceful, and his address polite, though not the politeness of Courts.

The rock upon which La Fayette, Dumouriez, Custine, and innumerable other French Generals, as well as Statesmen, have been wrecked, is Vanity. Each of them too hastily concluded himself to be the pivot upon which the affairs of the world were to turn; and neither had the talent to disguise or conceal the opinion. Pichegru has learnt wisdom from the example of their fate, and covers himself with a mantle of humility.[1]

4th. Had a visit this morning from a woman who introduced herself by enquiring after Mr. de Ternant, who she said had been for many years her *intimate friend*. Upon being informed that I had no personal acquaintance with that gentleman, she appeared to be surprised; but took her seat, and enquired if I could inform her how it would be possible to send him a letter; which I thereupon offered to do. She then said she was a Hollander born, but from the age of seventeen had lived in Paris. Her maiden name was Daelders. Her husband, a man who had been given her, but a worthless character, died in the East Indies; his name was Palm, but she had always preferred her other name, and was usually called by both. She had lived twenty-three years in Paris, where she had always been upon the most friendly terms with the best of company. By good company, she did not mean Princes, or Dukes, or Courtiers, who, as such, were no company at all; but such men as D'Alembert, Diderot, &c.—men of genius and learning. That after Mr. de Ternant returned in 1783 from the war in America, she contracted an acquaintance with him. That a young woman, abandoned by her husband for whom she had never any regard, might naturally be supposed to have a heart; that, in short, she felt extremely interested in the fate of her poor little Ternant. That when he last went to America as the King's Minister, he would have carried her with him. But she knew the manners of that country were different from those of

[1] The termination of General Pichegru's career did not correspond to its commencement. He fell into the same category with the others here named.

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France. She knew it would be thought extraordinary there to see a woman living with a man who was not her husband; and at that time she had no certain news of her husband's death, which she did not receive until she returned to this country. That at the time when Dumouriez was for the first time Minister of Foreign Affairs, Ternant had been displaced by Bonnecarrère, a Clerk in the Department, who had substituted himself to take the place. Upon hearing the intelligence, she had represented the matter to the Minister, and Ternant was restored for that time, and continued in his office, till after the death of the King. That she had been happy to hear he was still in America, and well. She was afraid he would imagine that she had been guillotined, and therefore wished to write to him, and let him know of her being here, and well. That she was no émigrée. She came to this country in October, 1792, with a secret commission from the Diplomatic Committee, of which Brissot was a member, to enquire here, whether this country would remain neutral, and whether they would receive a Minister from France. She shewed me her passport from Paris, dated October 18, 1792, and signed Le Brun; a billet from Van de Spiegel, polite enough, but excusing himself that his numerous occupations did not permit him to see her so frequently as he wished; another billet, purporting to be a copy, without date, name, or signature, but which referred to the subject of her commission, and, as she said, was from the same Van de Spiegel—this was probably true. The contents of this billet were—"that assuredly it was the full intention and desire of this country to remain neutral, and it was hoped that no measures would, on the part of France, be taken to compel an abandonment of this system. That as to the reception of a public Minister from France, upon a point so important it was thought advisable to take no determination without previously consulting the only neutral ally of the Republic, which was Great Britain. That in the meantime, if it was thought best to send here a person without public character, he should be enabled to transmit such advices as he should think proper." As soon as I had read this billet, she said, "Do you think that old woman enough? Here's a man extremely desirous of pre-

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serving neutrality, and yet as to the only means to ensure it, he cannot speak, but he must go and take his lesson from England, where it was already decided the other way. So in goes this country to a War; and now, Van de Spiegel has full leisure for repentance. But oh! my country, my country! I wish I could see things likely to go on any better than they have done. I have no great hopes of it. What sort of a revolution is this? They talk of the people—the sovereignty of the people. Here is an Assembly, that have driven out the States of Holland, and put themselves in their place; and all by the sovereignty of the people, while the people don't so much as know their names. The people have acted but one part in this affair—that is, to submit. You'll see strange things yet, Sir—these people have been so eager to grasp at office, that they have not had time to think of cruelty—but it will come. There will be blood shed yet." "We must hope better things, Madame." "Oh, yes! hope better things—but, for my part, I will have nothing to do with it. The men think that women are incapable of doing anything. Condorcet made a report to the Assembly, appropriating forty-two millions to public education for boys. I was sent with a deputation from my section, to demand that the same advantages should be extended to our sex. Condorcet had not noticed them—had not applied a denier to them. I delivered my address. I have a copy of it—you shall see it. But I am sorry I have it not about me now. We obtained, however, what we demanded from the Assembly. It was I that obtained an application of public expenses for the education of girls, as well as boys. I had the rights of *Citoyenne* granted me in three different places where I had never been. At Creil, they sent me a very solemn deputation, with a medal, which I have here" (and shewed me the medal). "For eighteen months I never missed a session of the Assembly. A great many of the members did not like it. One of them asked me once, before several others, what good there would be in giving an education to women. 'Why,' said I, 'in such cases, if a woman should have a fool of a husband, in such an office, for instance, as you hold, she could direct him how to conduct himself'—judge how they laughed at

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him. Then says Barnave, 'Madame, you would doubtless have women to compose our armies, and fight.' 'No, Sir,' said I, 'but if your hospitals were full of sick and wounded, I would render all the women capable, and I would make it their duty, to tend them.' 'That would not do,' said the Vicomte de Noailles, 'for all our soldiers would get wounded on purpose to go to the hospitals.' So in 1792 they sent me here upon this commission. I was to have 300 livres a month, but I was paid only one month. And after the Brissot party was ruined, I received nothing. But I have seen the Représentans du peuple here. They said they supposed I wanted my money. No, said I, the first thing to consider is la gloire. I demand that the Convention declare in the first place that I have not ceased to deserve well of the country. For I received a commission and have faithfully executed it. The other day, when Mr. Audibert was liberated, it was by my means. I went to Starrenberg, and told him, that he should answer with his head, if the French Commissary was kept any longer. And he was frightened out of his wits. He said, 'Stop, stop, Madame, he shall be set immediately free.' The fellow knew not what he was saying. So he sent the orders to open the prison, and immediately ran off himself."

She concluded by assuring me that Mr. Iddeking, now President of the States General, is her first cousin. That she was acquainted here with all the considerable people. That the English Ambassador used to say that she monopolised all the bourgeois. That the Prince used to call her his Jacobine. But, however, he always had a high opinion of her. That if I pleased, she should be glad to see me at her house; that I might depend upon it I should not commit my reputation by it. That she had always preserved the most immaculate reputation, and the invitation was not a thing common to everybody. For instance, she did not choose to have the Swedish Minister come to see her. She did not like him. But the Prussian Minister, the Comte de Keller, she used to see with pleasure. "They used to call him a fool," said she, "because when he heard them prating in the way they always do without knowing what they say, he would be silent. It was only because he

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despised them, and their foolish prattle; and I have told them so." After a great deal more miscellaneous talk of the same kind, this problem of a woman went away.

Passed the evening at Madame Veerman's. They quarter a Lieutenant, who was there part of the evening. A proper sans-culotte, ignorant, illiterate, very ill bred; or at least as foul-mouthed as the perroquet Ver Verd. He belongs to Bordeaux, and plainly discovers in his conversation his relation with the banks of the Garonne. Mr. Patyn, Secretary of the Regency here, lately dismissed, was also there, and beat me at draughts.

5th. Visited the citizen Paulus, President of the Assembly of Provisional Representatives of the People of Holland. He said he remembered having seen me when I was in this country before, and made particular enquiries after my father, with whom he said he was well acquainted. Had afterwards a conversation with him of about half an hour. Their object is to make a closer Treaty with America, and the best possible dispositions were professed, I think, with sincerity. But I can do nothing at present. Mr. Schermerhorn called to see me, and talks of going to Paris. Saw Mr. Dumas, and told him I had both written to Mr. Paulus and seen him.

6th. Visit this forenoon from Mr. Scholten. The Comte de Bentinck van Rhoon, former Grand Baillif of the Hague, Van de Spiegel, the Pensionary, and three members of the dismissed Regency of the Hague, have been arrested; as also two Fagels, officers, and brothers of the Greffier now in England, who went over with the Prince, and have just returned. The two first are committed to a public prison. The cause of this arrest is not known. Mr. Scholten answered the enquiry by whose order the Pensionary was arrested, that he knew not. He supposed by the order of the States General. He hoped not, however. There was indeed one example of a Grand Pensionary arrested by the States, but it was not a good one to be quoted as a precedent—he meant the instance of Barneveld, which is not, said he, the period of our history which tells the most to our honour. There are five Boards of Admiralty—Amsterdam, Rotterdam, Zealand, North Holland, and Friesland. In reality, there are but three of any effect; the

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fourth is almost, and the fifth merely, titular. If the ships belonging to Zealand did not escape, with some exertion and a good deal of money, sixteen or seventeen men of War and several Frigates might be fitted out before midsummer. This is what remains of a navy, and a maritime power, which in the last century so obstinately disputed the dominion of the sea with England.

Mr. Scholten said he hoped the change would not be extended to the name of *Their Highmightinesses*, because so long as the name was retained, any changes, however essential, would create no embarrassment with foreign powers. In Sweden—in Denmark, the most material alterations had been made in their Governments and Constitutions; but no difficulty had occurred, because the names were preserved. But in changing the names, the facility of making peace would be impeded, because a previous question of acknowledgment must be decided. Peace, he believed, was a thing very necessary to this country. For if we are to go through, yet, a war with England, the gentlemen may busy themselves in regulating the *forms*, but the substance of the country will be gone.

The motive for this solicitude as to the changing the name of the legislative head of the Union is natural enough, and probably connected with other motives than those mentioned. And for the same reasons which operate to produce, in his mind, the wish that the change may not take place, those who now have the power in their hands will probably be equally anxious to make it. Part of their security consists in making the revolution as complete as possible.

Mr. Scholten and his family are great sufferers by it. His father, Treasurer of the Admiralty at Amsterdam, his brother, one of the council in the same city, dismissed. Another brother, Pensionary at Delft, dismissed. He holds an office as Councillor of the High Court of Justice, which will probably meet with the same fate as the other establishments of the former Government.

10th. Letter this morning from Mr. Monroe. Sent to Mr. Paulus. Dined with M. de Schubart, M. and Madame Scholten, Mr. Bielefeld. Some company that I did not know.

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The Haut Conseil, of which Mr. Scholten is a member, is, he says, a monster in the Republic. Their authority is contained in an instruction from William the First. They have none from the States General. The course of judicial causes begins, in every city, before the Schepens; from their decision, an appeal lies to the Court of Holland, and from that Court, to the Haut Conseil, in causes of more than 600 florins value. There is another step yet in their judicial ladder—for after these three removals, there may be a *revision* before the judges of the two Courts, and six other persons appointed by the Stadtholder for the particular cause.

The Grand Baillif in their cities is Superintendent of the Police, and at the same time performs the function of a public accuser, but he has no authority as a Judge. They allow no council to the accused—they have not abolished the practice of torture, and indeed their criminal jurisprudence is much in need of reforms.

At Amsterdam, the principal legislative authority resides in a council or Assembly, composed of the burgomasters, and Old Schepens, not in the Vroetschap. The best work upon the commerce of the country is a book in French, entitled *Richesse de la Hollande*, by Elie Luzac.

The Baron de Schubart has nothing characteristic in his manners but complaisance, and apparent goodness of disposition. Is a great admirer of Rousseau. Says his Lady, who is absent, admires him still more. Says he is a believer in the equality of men. And thinks that the French Revolution will have no effect upon the authority of kings who conduct themselves well.

Baron Bielefeld has, to appearance, more literature than any other man I have met among the diplomatics, except M. d'Araujo. He has read most of the publications of the controversies which have become so important at the present day. He appears also to be no enemy to the principles of equality. But these principles have supported themselves so well upon the ground of force, that those the most interested against them no longer venture to oppose their progress. Mirabeau, says Bielefeld, wrote but a small part of the works attributed

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to him; and particularly, very little of the History of the Prussian Monarchy. He says he is ashamed to acknowledge that the Academy of Berlin crown'd Rivarol's discourse on the universality of the French language.

12th. Called in the morning at the lodgment of Dort, and saw one of the Commissioners for the visitation of letters. He said they were ordered to receive my American letters though under seal. That it was a favor extended to no other letters, not even those of the States General to their own Ministers. That they had consented to accommodate me, because they were well assured the Minister of their friends and allies would not intrigue against them. I assured him of my gratitude, and that I should not abuse the confidence. The rest of the day was very busily employed in writing, except only a walk, and calling on Plaat, the stationer, a very active patriot, and one of the honest, good-natured, impertinent intriguers of a democracy; useful in the hands of an able man, and who may be applied to a thousand good purposes by flattering his vanity with the idea of his own importance. He proposed to me to become a member of their patriotic society, and offered to introduce me. I excused myself, upon the ground of being a stranger, which he did not think a sufficient reason. The scheme would suit me very well, but scruples of prudence forbid me.

13th. Plaat came this morning, and was earnest to introduce us as members of the patriotic society. But we both concluded to stay at home. Snow. Reading almost the whole day. Paulus upon equality. It reminds me of what Colonel Verrine said at Hubbard's the other day, of the capture of the fort of the Rhine. "C'est bon pour mettre dans la Gazette, mais ce n'est rien."

16th. Dined with M. de Schubart. The French Generals, Pichegru, Elbel, Sauviac, and a Colonel . The Dutch Generals, Constant, , and Colonel Comte d'Aultremont. The Comte de Lowenhielm, Swedish Minister, and his Secretary. The Minister of Poland, Midleton, the Prussian Secretary, Baron de Bielefeld, son of the author of "*Political Institutions.*" Something was said at dinner of the use the French had made of balloons during the last campaign, in discovering the positions of their adverse armies. The experiment it seems was made

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by the Army of Sambre et Meuse. Pichegru, and the other Generals, assured us, in the strongest terms, that it was of no service at all. That no distinct view of positions could be discovered by them, because there could be no stability sufficient in the station, to look steadily at objects through a glass. That if the country is open, the elevation is not necessary; if it is covered, the rays of light proceeding obliquely could not discover a party placed in ambush behind trees. That he had, therefore, never found any service, or made any discovery of consequence, by going on the top of steeples. It was observed that the relation of the circumstance had at least produced a great effect in public. "Oh! yes," said Sauviac, "the effect was infallible in the Gazettes." I told him I did not hear lately of their using the telegraph. "Pardonnez-moi," said he; and seemed not perfectly pleased with the observation. The reason for this difference of opinion as to the two inventions is plain enough. The latter was used only in the Armée du Nord, and the other was confined to that of Sambre and Meuse. The esprit de corps, and the contempt for newspaper fame, were discernible in the conversation of these officers, as much as they were in that of the Chef de Brigade Verrine. Sauviac and Elbel conversed together, principally in Italian, *sans se gêner*. Pichegru was modest, polite, attentive, and apologised for the other's unpoliteness, observing that he was naturally of a petulant character. Sauviac, upon the whole, is the most unfavorable specimen of a French Republican officer that I have seen. He limps from a wound which he received in the service, and which he is far from endeavouring to conceal. His first appearance contrasts completely with that of Pichegru. As much as the one is modest and unassuming, so much is the other arrogant and censorious. Being seated next to him at dinner, as an introduction to conversation I observed to him that he found colder weather here, I presumed, than in France. "Yes," said he, "but we shall not complain of the cold. It has been our friend." "You have no reason to complain of it, indeed." "Why, as we came along with constant success, our troops marched on without perceiving the cold." "They acted, to be sure, as if they did not perceive it, but it must, however, have

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been sensibly felt." "Yes, and especially by me, a wounded man." He soon enquired whether I belonged to this country. Upon being informed I was an American, he asked what sensation the *retreat* of La Fayette had produced in the United States. I told him, a different one upon different persons. That he had conducted himself well in America, and was therefore beloved. That he was generally compassionated there, although we did not think ourselves competent judges of the merits of his cause. I observed that many officers of the present Revolution had been in America. "There have been," said he, "but they have all turned out unfortunate. They went to America, and there drew the first sentiments of their liberty; but, I don't know how, none of them has succeeded in France."

He was asked how many representatives of the people there were with the two armies. "Sometimes more, sometimes less," said he. "It is constantly varying. It is to be hoped the principles of the Government do not change so often as they change their representatives with us. It produces inconveniences. The power being unlimited, and possessed by so many persons, a difference of opinion takes place, and affairs suffer." He said that Barrère was one of the most immoral men that had appeared upon the theatre of their Revolution, but that he possessed such a Protean versatility as had hitherto carried him through, amid the shock of all parties. He spoke in similar terms of Collot d'Herbois. After enquiring of me who the several persons at table were, whom he did not know, "This seems to be a diplomatic dinner," said he; "I am surprised that none of the Representatives of the French People are here." He appeared not to be pleased with Count Lowenhielm's star, and spoke of it to his brother General, in Italian, which the Count understood; and thereupon the other made him an apology, good or bad. From these specimens of his breeding, may be judged his convivial qualities, and probably without injustice. Lowenhielm was not satisfied with the title of Citoyen, said that every one should be a good citizen at home, but he saw no occasion to prefix the title perpetually to everybody's name. As for his title of Count, he should certainly keep it, and he was very sure nobody would take it from him. We withdrew. Bielefeld took

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a seat with us to go home, and was scarcely in the carriage, before he exclaimed, "My God! what an Aristocrat Count Lowenhielm is. More so than any other man I know. As to the titles of Monsieur, or Citoyen, it is a thing indifferent in itself, and if any meaning is annexed to either when used, the latter appellation is the most rational. But for the titles of Duke, Marquis, Count, &c., if any special privileges are annexed to them, it is an injustice; if none, it is an empty sound, which deserves nothing but contempt."

Bielefeld is no less sociable than democratic—says Kalitcheff, the Russian Minister, who lately went away, was prodigiously frightened when the French arrived. They treated him very well, however. He is "now gone, but not esteemed to be a loss to the place, for he was universally detested." He did not say on what account.

17th. I had just begun upon my usual daily walk, when I met the democratic Baron, who was upon the same plan, and we agreed to walk together. The conversation was principally political, but upon the affairs of the day. He told me there was to be a play to-night; if I pleased, we would go together; to which I agreed accordingly; but in the evening he came and told me he had been misinformed, and the play would not be till next Monday. He sat with me about an hour. The observations which he made in the course of this day, worth notice, must appear as they were made, without order, and in the miscellaneous tone of common chat.

He has been here nearly four years. Lord Auckland was the British Ambassador here, when he came. Auckland was not much admired, notwithstanding his reputation. About two years ago, when the French took Breda, in the time of Dumouriez, Auckland hearing the news of it, and in order to make light of it, said, "Well, fortresses are made to be taken." The late Ambassador, St. Helens, was better liked, and clever enough. Both, however, governed the country. They were real Proconsuls—and now, we shall have French Proconsuls. It is in vain for this country to pretend in future to political independence. They have got used to submitting, and would scarcely know how to act for themselves. The French Repre-

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sentatives have demanded that one of them may be present when the papers of the late Pensionary, Van de Spiegel, are examined. They view him as one of their most inveterate enemies. They are very much mistaken. Van de Spiegel was extremely desirous of preserving a peace with them. He was very adverse to the war. But he was a weak man, and dared not oppose himself openly to the torrent. About two years ago, the political intolerance here was excessive. Mr. Short, then the American Minister, when he first arrived, was well received, and liked pretty well; he passed for a pretty good aristocrat. But he visited M. de Maulde, who was here then with a secret commission from the Executive Council; and ever after that, Short was shunned and disliked, and branded as a Jacobin. This Maulde was avoided like a pestilence. If he ever appeared in public companies, scarce anybody would speak to him. The Spanish Minister of that time gave a great supper to almost the whole City, and, by some accident, was obliged to invite M. de Maulde. He seemed perfectly alone in the midst of the company; and he was so universally shunned, that when supper was served, the seat next to that which he had taken was left empty. But, said I, this is surprising, since at that very time, the Pensionary, and British Ambassador, were negotiating with this same de Maulde. That is true, but it was secretly, and not avowed. They never confessed it, until Maulde, upon returning to Paris, published the account of it, and then they could no longer doubt it.

This war has not been very favorable to the glory of Sovereigns. The King of Prussia reached neither Paris nor Warsaw. The Emperor came with great éclat to his army; and returned with less to Vienna. The Duke of York is returned without many laurels to London. The Duke of Brunswick publishes five manifestos, and afterwards retires. The Prince Cobourg takes the command, goes on swimmingly for some time; but finally he resigns too. The young Princes of Orange resign. The father sets out, all of a sudden, to make his coup d'essai; and Nimeguen is taken. To crown the whole, there is nothing wanting but the King of Spain to set out and defend his dominions in Catalonia.

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23d. Another visit this morning from Madame Palm Daelders, who left with me her letter for M. de Ternant, and lent me her political works. They consist in two or three addresses to popular societies upon the subject of the rights of women; delivered in the year 1791, and full of the kind of trash fashionable at that day. The performances are upon a level with the subject, and contain the usual commonplace of argument upon the rights of women, and the injustice they suffer. This has been, at one period, among the whimsies of the French Revolution. But it is in vain to labor and toil against the prescriptions of nature. Political subserviency and domestic influence must be the lot of woman, and those who have departed the most from their natural sphere, are not those who have shown the sex in their most amiable light. But Madame Daelders Palm may yet be serving an interest; she is too furiously democratic, not to become suspicious. She complains of everything now going forward; the Princess of Orange could not be more bitter; but her pretext is, that the present men and measures are aristocratical. She said she would rather live at Constantinople than at Venice, though she did not like the Turkish Government, which allowed one man to have five or six wives. The observation, that perhaps she would prefer that Government reversed, gave her great delight. N.B. To remark this woman.

25th. Notice from Mr. W. Quarles, that he has been appointed Greffier of the States General. Doctor , an Englishman, called to enquire if I could let him know of any opportunity for Demerara. Mr. Ripley, a young American who came to Europe last summer to offer his services to the Poles, called here for a Passport. In the afternoon, Mr. Van Hees, the Agent, came to give me official notice of the Resolution taken on the 16th by the States General, acknowledging the Sovereignty of the Batavian People, and the Rights of Men and Citizens; abolishing the offices of Stadtholder, Captain, and Admiral General, and discharging every one from the oath taken to support the pretended ancient Constitution. Van Hees did not appear much pleased with his errand. He finds himself employed altogether with new men, and thinks, proba-

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bly, that he is reserved only, as Ulysses was kept by Polyphemus, to be the last sufferer.

28th. Called on the President of the Provisional Assembly, but he was out. Plaat here in the evening, mentioned his having been translator to the French Ministers formerly. M. de Gouvernet was the last Minister from thence, except his successor De Maulde. Gouvernet never got any good intelligence. Maulde took proper pains, and knew the secrets of this Government, and of every other Minister at this Court; but it cost him 600,000 livres in eight months. And his reward was, when he returned, to be three times imprisoned. The Sardinian made him pay for everything, at the price of gold. He made his fortune by it, and Maulde completely ruined his. The other has now returned home, and lives upon the fruit of his treachery. The English Secretary was the cheapest of them all. He never took any money of Maulde; but he used to play at cards with Maulde's gouvernante, and never failed to win.

Plaat never betrays secrets. He names nobody, and will not (he says) even give any hold upon which the persons of the traitors can be guessed.

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CHAPTER III.

THE MISSION TO HOLLAND.—CONTINUED.

At this point commences the continuous diary of Mr. Adams, which is embraced in nineteen quarto volumes, averaging five hundred pages each, of fine writing. Here and there a break happens, when the pressure of public affairs became such as to make perseverance impossible. Out of this superabundant material such portions have been selected as may serve to illustrate important public events of the time or the leading characteristics of the writer.

The title-page of the first volume is given just as it is written in the very neat and clear hand of the author:

Ἄλκιμος ἔσσ', ἵνα τίς σε καὶ ὀψιγόνων εὖ εἴπῃ.[1]

DIARY OF JOHN QUINCY ADAMS.

FROM 1 MARCH, 1795,

TO

31 DECEMBER, 1802.

Be it rather your ambition to acquit yourself in your proper station, than to rise above it.

Certainly it is Heaven upon Earth to have a man's mind move in charity, rest in Providence, and turn upon the poles of *Truth*.

BACON: *Essay on Truth.*

Γνῶθι σεαυτόν.	Solon	Know thyself.
Τέλος ὁρᾶν μακροῦ βίου	Chilo	Look to the end of a long life.
Καιρὸν γνῶθι	Pittacus	Watch opportunity.
Οἱ πλέιους κακοὶ	Bias	The many are evil.
Μελέτη τὸ πᾶν	Periander	To industry, all.
Ἄριστον μέτρον	Cleobulus	Measure is best.
Ἐγγύα, πάρα δ' ἄτη	Thales	Pledge, and harm is by.

[1] Odyssey, B. 1, l. 302. Cowper renders it thus:

"be thou also bold,
And merit praise from ages yet to come."

This verse is quoted by Cicero in a characteristic letter to Julius Cæsar. Ad familiares, L. 13, 15.

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DIARY.

THE HAGUE, *March* 1st, 1795.—Visit to Mr. Bielfeld, Secretary of the Prussian legation. Conversation principally upon the subject of news and politics, of which I bore too great a part, and did not sufficiently preserve the interrogative character. He observed that, in the late conference between the deputation from the States General and the French Representative Alquier,[1] there seems to have been great attention paid to ceremonials.

Visit this evening from Mr. Dumas. He recommends a work of a Comte Carli upon the subject of America. He treats M. Pauw and his reveries with proper severity.[2] Mr. Dumas says he has grown very nice and difficult to please as to books. He personally knew Marat many years ago, and always considered him as a dangerous madman. Marat was here, and once told him he was determined to fight Prince Galitzin, then the Russian Minister here, upon some trivial slight he pretended to have received at his table. From that time Mr. Dumas was determined not to admit him any more to his house, and afterwards at Paris, in 1779, cautioned his friend Dr. Franklin, who was acquainted with Marat, to beware of him.

The church hitherto dominant in this country consists of the Calvinists professing the doctrines prescribed by the Synod of Dort. The ministers are appointed and paid by the provincial States. Their salaries are from six hundred to two thousand guilders a year.

3d. Visit to Madame Palm Daelders. She appears to be a partisan of the Orange party, under a thin disguise of outrageous democracy. Finds fault with every thing now going forward, as not being conformable to the genuine doctrine of equality. Says that whenever the French troops withdraw, the people here will rise against the new order; told me that the

[1] At this period each of the armies was attended by a committee of the members of the Convention, which made regular reports of the movements. That of the North, the Sambre and the Meuse, was composed of seven persons,—Alquier, Bellegarde, Joubert, J. B. Lacoste, Frécinet, N. Haussman, Roberjot. Richard, who is mentioned in this diary later, is stated to have directed the expedition.

[2] These works, now little known, remain as curiosities of literature connected with America, purporting to be profound speculations.

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Ministers of Sweden and Denmark were recalled; talked a little scandal about Löwenhielm;[1] showed me a new composition of hers which she wishes to print and distribute—an address to the Batavians, recommending their old institutions, and a dissolution of all the parties which divide the country; lent me the printed imitations of the English notes and letter said to have been found in an English pocket-book, and deposited in the National Archives of the French Republic, by decree of August 4, 1794; says this was the occasion of Audibert's being arrested here. He had a number of them to distribute, and the British Ambassador was afraid of the effect they would produce, and therefore directed his being sent away from Amsterdam, with order to quit this Republic.

8th. Called on Mr. Dumas. Have finished the reading of Cerisier's "Tableau de l'Histoire des Provinces Unies." It gives a general idea of their history, but it is an unfinished work, written in haste, and requires much labour of the file to give it the perfection of which it is susceptible. The partisan is also too clearly discernible throughout the work. The factions which necessarily divide a free people have always a considerable influence upon their historical relations. Since the Revolution which delivered these Provinces from the Spanish Dominion in the 16th Century, the people have always been divided into two powerful parties—the one adhering to the House of Orange, and the other consisting of its opposers. To promote and strengthen and increase the power of that family has invariably been the real object of the former; to thwart, and weaken, and even destroy it, has been as constantly that of the other. The pretexts with which they have at different times endeavoured to colour their encroachments upon each other have been various; sometimes religious, and sometimes political. Each of the factions has endeavoured to support itself by the assistance of foreign connections. And ever since the marriage of William the Second with a daughter of Charles the First of England, the House of Orange has derived its external support, principally, from the alliance of Great Britain.

[1] Count Löwenhielm was at this time the Envoy of Sweden to the government in Holland.

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The attention of the other party has therefore necessarily turned to the rival power of France, and from the days of John De Witt to the present, the *Republicans* have always attached themselves to that country. Cerisier was a Frenchman born, and an ardent republican in principle. The heroes of his history therefore are Barneveldt, the De Witts, De Ruyter, and all the Chiefs who have been the most distinguished antagonists of the Stadtholders; while at the same time, though he values himself much upon his impartiality, he appears to pay a reluctant tribute to the merits of the Princes, and to display with a peculiar satisfaction their manifold faults, their vices, and their crimes.

Barneveldt and the De Witts were undoubtedly the martyrs of Liberty, and the victims of despotism. Yet even at this day, the Orange faction do not render justice to their memory; and it is not two months since I heard a Dutchman of understanding, versed in the history of his country, affirm that the judgment of Barneveldt, to be sure, was not perfectly reconcilable to the forms of justice, but that he really deserved his fate. Such is the creed of courtiers!

9th. In consequence of the letter received on Saturday from Mr. Bourne, I visited this morning Mr. Paulus, President of the Provisional Assembly of Holland. Conversation with him upon the law prohibiting the exportation of specie—upon the detention of American vessels in the Ports—upon the permission to import grain and flour free from duty. He gave me, not as he said as President to the American Minister, but in his private capacity to me in mine, a copy of the new publication representing the state in which the finances of the country were found. Desirous as they are that a line of strong discrimination should appear between the system now pursued and that of the Government they have abolished, they are determined to make both as public as possible, and then shall be willing to abide by an impartial decision. With respect to the vessels detained, he recommended to me to converse with the French Representative Alquier,[1] the only one now remaining here.

[1] Afterwards under Napoleon known as the Baron d'Alquier; a man of capacity, who continued in the diplomatic service many years, in which he gained reputation. He died in 1826, at Paris, at an advanced age.

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I wrote accordingly to him, requesting to know when I could see him. He appointed half-past two, at which hour I went, and found him with a company apparently of French officers. He told them on my entering that he had some business with the American Minister, and requested them to withdraw, which they did. He said there would be no difficulty whatever with respect to the two vessels, and if I would put in writing my demand and proposition, he would concert the measures to give me satisfaction with the Government here. But just at this present moment they could not permit the departure of vessels for any foreign Ports. "This country," said he, "is yet a conquest to us; or at least we occupy it. But in a few days the intercourse with other countries will be as free as ever."

10th. An emigrant from Brabant, by the name, I think, of Geuthryer, came to see me this morning, having already been here several times. He calls himself a Baron; says he was a member of the Equestrian Order in the States of Flanders, and from his conversation must be very wealthy. He proposes returning to Brussels, his home, the latter end of this week. He brought with him a certificate signed by Baron Schubart, the Danish Minister, purporting that he knows him, his wife and sister—that they have lived here since last June, and have conducted themselves perfectly well, without intermeddling with any political concerns whatever. The gentleman requested me to give him a similar certificate, or at least a recommendation that he supposed might be serviceable to him on his return home.

I told him, that I had no doubt but that Mr. de Schubart had certified nothing but what is perfectly conformable to truth; that I was fully persuaded however that a similar certificate from me, or a recommendation, would be of no possible service or utility to him, and that I hoped and believed he would have no occasion for any such paper. But that a declaration which M. de Schubart could make with perfect propriety, as containing only facts within his knowledge, could not with equal propriety be made by me, to whom those facts were not known. And as to a recommendation, it would only expose

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me to animadversion, as assuming a right to which in his case I am certainly not entitled. After urging me more than was necessary, finding that I persisted in declining, and in repeating the assurance of my regret that I could not give him the assistance which he required, he took his leave, evidently piqued at my refusal.

The request was unreasonable: to give a certificate that I knew him, his wife and sister, their conduct and how long they have resided here, while in reality I know not a person or circumstance of the whole, except the man himself; and know him only from his having been to see me several times without any introduction other than his own.

11th. Visit this morning from Mr. Mersen. He has been these six weeks laid up with the gout, and is now first coming out. Papers from Paris. The municipality this morning sent a couple of French soldiers to quarter in the house of Mr. Jehn, where I am lodged. They have tried the experiment three or four times; and as often, the French Commandant of the city upon my application has ordered them to allow the exemption to which the usage of Nations entitles me. He has this time requested them, in writing, not to send any more here. The Representative Alquier makes much of the generous treatment they have observed in this country, and if there is not a sort of vanity in extolling one's nation, he says no more than is proper.

12th. Mr. Bielfeld[1] called on me this morning, and I took a walk with him round the town. Conversation with him upon a variety of subjects, principally political speculation. We talked much of the rights of man, the origin and foundation of human society, and the proper principles of Government. He says that in his opinion no consideration whatever can in any case justify a violation of truth. I told him that such a sentiment was rather extraordinary coming from a diplomatic man. He declared his determination never to depart from it. We discussed the theory of human rights and of Government.

[1] Chargé-d'affaires from Prussia. He was the son of Baron Bielfeld, in his time also in the diplomatic service, and author of several works of reputation in his day, but since passed into oblivion.

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We soon concluded that aristocracy, feudality, nobility, could not be reconciled with a Government founded upon *rights*. But whether man is so constructed as to be capable of living in society upon any plan of government clearly deducible from a theory of rights was then a question, which we debated until we found our walk at an end.

13th. A day of idleness—that is, of reading, very little writing, and still less meditation. It is an easy life; but how to reconcile it with a disposition for activity?

The Chevalier d'Araujo, the Portuguese Minister, called to see me this evening, and we had much conversation upon the present situation of political affairs. He appears to have some feeble hopes of a peace without another campaign; but I do not see the smallest probability for it whatever. He thinks it will depend upon the will of the British Government, and was anxious to hear from England, to judge from thence what the prospects are.

15th. Dined at the Comte de Löwenhielm's, the Minister from Sweden. The French Representatives Alquier and Cochon, the Greffier of the States General Quarles, Mr. Dedem, the Dutch Minister at Constantinople and member of the States General, and his son, Mr. Lestevenon, also a member of the States General, Baron de Schubart, Minister from Denmark, and his secretary, Mr. Levsen, Chevalier d'Araujo, Portuguese Minister, Mr. Bosset, Minister of Brandebourg, Mr. Middleton, Minister heretofore from Poland, Baron de Rehausen, a Swedish gentleman, and General Dumonceau, the officer commanding at the Hague, besides the Count's family, constituted the company. The dinner was made for the French Representatives, and they were of course the most conspicuous characters there. Their dress, without being indecent, was negligent. They have not yet got entirely above the affectation of simplicity or of equality.

France and Portugal are at war. Yet in consequence of the generous system pursued by the French from the time of their arrival here, D'Araujo has never been molested, and between these representatives of nations in actual hostility the most perfect civility and good humour was observed on this occasion.

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D'Araujo evidently was desirous of getting acquainted with the Frenchmen, of engaging them in conversation, and of giving them a favourable opinion of himself by a discovery of his knowledge and attachment to the arts and sciences. Perhaps he wants to obtain the means of getting on foot a negotiation for peace between his country and Spain with France. Perhaps he only means to observe as accurately as possible, and for that purpose aims at establishing a sort of familiarity with them. That he was solicitous upon the point was evident; for though he was seated at some distance from the Representative Alquier at the table, he carried on a conversation during the whole dinner time with him, which drew the attention of the whole company. It was entirely upon subjects of science and the arts. There was a kind of armed neutrality in the complexion of his speeches that led me to suspect whether it was designed or accidental. He said several things calculated to be agreeable, and several others which were not so. Spoke in flattering terms of the Abbé Raynal, as a writer. It was wormwood, but the effect appeared only upon the countenances of the Frenchmen. He mentioned as a lamentable thing that Lavoisier, the chemist, had perished by the guillotine. They acquiesced fully in the observation; but it appeared to me one of the things to be avoided, when the object is to please. He attacked the relations of the French traveller Vaillant, and ridiculed them, as extravagantly false and absurd. Alquier defended them, but with perfect good humor. He observed in the course of the conversation that they have still two eminent chemists in the Convention, Fourcroy and Guyton de Morveau. He mentioned also that they had packed up a great number of the objects of curiosity in the ci-devant cabinet of the Stadtholder to send to France.

During the relaxation of attention that I could afford from this conversation, I carried on a particular one with young Dedem, who has been nine or ten years with his father at Constantinople. During that period he travelled in Greece and in Egypt. But he was very young, and I know from experience to how little advantage a man travels at such an age. He gave me a number of details relative to the learning, the manners,

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the genius and character of the Turks, and relative to his travels into Greece; but I think I collected little or no new information from him. His sphere of observation is not very extensive.

I had before dinner a little conversation with his father, the Minister. He was formerly much acquainted with my father, and one of the Deputies in the States General who signed the treaty with him. He enquired particularly with regard to him. He told me that soon after the period of my father's being here, he was sent to Constantinople; that about a year ago he obtained leave of absence upon a visit home; and just at this time it happens the revolution has taken place, at which he was much rejoiced. Upon the observation that his case was singular, to have remained in office during all the mutations that have taken place, he said that after the revolution of 1787 the Court party had determined to involve him in the common dismission of all the patriots in office; but that the expense of the Turkish Embassy is in a great measure supported by the Council of Commerce, which consisted principally of Amsterdam members; that they had a meeting at the time in question, and were unanimous for having him continued in office; that it was owing solely and entirely to their influence that he was not recalled. The Court, however, he adds, never forgave him his ancient and inveterate patriotism, and, since his return, he always found himself observed, shunned, suspected there, as well as in the States General. That whenever he appeared in the Assembly nothing was transacted while he was present, and he has often seen his colleagues from his own Province whispering very busily together; but upon his enquiring whether they were talking upon business, they invariably told him no, and he often put an end to their conversation merely by going towards them.

He is now the only member of the States General under the old Government who continues to be so still, notwithstanding his being a nobleman, which at this day is a heavy objection against him. He has escaped untouched during both the revolutions.

Were it not that a judgment upon the character of the man,

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after seeing him only once, would be rash and presumptuous, I should be led to suspect that there is a reason distinct from those of superior merit or good fortune which might contribute to make him thus a singular exception to the total alteration of two opposite revolutions. That reason would be derived from his personal reputation, perhaps amiable and irreproachable, and not such as to make him an object of fear to either party. But I presume the Dutch Embassy at Constantinople is as insignificant in the system of their policy as the American Legation at the Hague is in that of the United States.

Mr. Lestevenon, who was formerly Minister from hence in Sweden, and did not enjoy the same exemption with the other gentleman, appears to be a more *expressive* character. He was one of E.'s friends here, and I enquired whether he had returned to this country, or probably would. He said no. The General had written him a fortnight or three weeks since, that he was coming back; but he did not think he would. "The General," added he, "is an ingenious, sensible, clever man; and you rendered him a great service at Amsterdam." "By no means," said I; "I had no opportunity to render him any service."

I had a very few words' conversation also with M. Quarles, the new Greffier, whom I now saw for the first time. There is no occasion for a hasty judgment respecting him, as I shall probably have occasion to see him more than once again.

The Representative Alquier excused himself to me for not having answered my two applications to him in behalf of our commerce. He promised me, however, that I should have an interview to-morrow. He said they had declared by an arrêt that all neutral commerce and navigation with this country should remain open and without obstruction.

The Representative Cochon[1] conversed upon the state of affairs in France. He talked very freely, and ventured even to censure some of the prevalent habits and opinions. He spoke, as they all do at present, with contempt of Robespierre, and with

[1] The Count Charles Cochon de Lapparent bent to the storm, and became an active member of the Convention. He succeeded in passing safely and with credit through the dangers of the period, and died in 1825, at an advanced age.

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horror of his reign, as he called it; regretted very much the death of Bailly, who was a good man, and a great loss to the sciences. "I had him," said he, "five weeks concealed in my house; but I should not have said it six months ago." Condorcet, he said, was a loss to the sciences, but as to his morality, he is not much to be regretted on that account. *Danton* was a mauvais sujet, his fate is not to be lamented; but the conspiracy for which he perished was a mere trumpery of Robespierre. Cochon was then in mission at Valenciennes; in prison; that is, at the siege. He knew but little about these events. They are not fond of talking of them to strangers, and it is not surprising that they are unwilling to uncover their own nakedness.

17th. Dined at the Baron de Schubart's; principally with the same company that was at the Swedish Minister's the day before yesterday. Richard, a new commissioner from the Convention, has arrived, and was of the company, as was also Baron Bielfeld. Richard maintained the principal part of the conversation; it was altogether upon the military operations of their armies. One would have thought from his account that they were more than human beings, and he himself infinitely superior to all the heroes of ancient or modern times in the art of war. There was indeed one particular in which he was certainly comparable with Hannibal, Sertorius, and Claudius Civilis—gasconade is a part of his policy too. These people seem to think the rest of the world created for no other purpose than to admire them. All their heads are giddy with their own greatness and power. Pichegru among the Generals, and Cochon, of the Representatives, from whatever I have seen of them, may be admitted as exceptions to this rule. They appear to have the gift of modesty, which is not among the shining qualities of the others.

Richard was prodigiously rapid in his talk; he appeared to be afraid that time would fail him to sing the praises of the army, and in the course of his eloquence often gave us to understand, with those intimations with which vanity imagines itself sheltered from detection, that he had often been the most important character in the army—the life, the animating principle, which inspired such extraordinary efforts.

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"People think," said he, "that we would not make peace; but they are much mistaken. We are so far from wishing to continue the war, that there is a power of whom we would ask for peace, though we are conquerors: we would say, 'We have taken from you an immense territory; we have reduced you to the utmost extremity; we will return it all to you, if you will make a peace which shall restore us what was ours;' and they would not accept our terms. They think we are exhausted; that we cannot carry on the war any longer; that we have no further supply of men. Well, we shall meet them upon that ground as long as they please. They have said the same thing these three years. Our first requisition raised 100,000 men; the second, three; the third, eight or nine; and now we can raise as many more when we please. Austria will not be reasonable till she has been beaten a little more severely. Clairfait must go on in his career, and he has excellent troops. This war has been fatal to many military reputations, though that of Clairfait has not suffered. He has been unfortunate, and has not been supported; the Generals of both wings in the Austrian army have been sacrificed to the jealousy of the Commander-in-Chief; but we have a great esteem for Clairfait. However, we hope to give a good account of him. They talk about experienced Generals; but in our mode of warfare experience is learned in a campaign; a General does the duty of a soldier, and is in the midst of the action. According to the old-fashioned style of war, the General is at three or four leagues from his army; but how can he manœuvre to any advantage at that distance? At the beginning of the last campaign the allies manœuvred three times to our once; and at the close of it I am sure we manœuvred five times to their once." "Our troops," he continued, "scarcely seem subject to the wants of humanity; they live days and even sometimes a week together without food, without clothing, and without sleep. We have no tents, no camp baggage. Often after sixteen or seventeen hours of battle, worn out, exhausted, unable to move, our soldiers stretch themselves upon the bare ground, without covering, cold or hot, moist or dry, and enjoy the sweetest sleep imaginable. I have found it infinitely more de-

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licious than at any other time in bed and under cover." Here he was interrupted by his colleague Alquier, who said he was not of that opinion, and a little discussion arose upon the subject between them. It did not, however, detain Richard long; he soon returned to his favorite topic, which he scarcely suspended for a moment from the time we sat down to dinner until the company broke up.

In the mean time Mr. d'Araujo had fastened again upon Alquier and had a very long particular conversation with him, in which the company in general did not participate. After the Representatives were gone, he enquired of me whether there is now any American vessel going to Spain or Portugal. I asked him whether he had learned if peace is made or making between them and France. He said there had been something done, but it was not finished. He certainly wants to bring forward a negotiation, or to have the appearance of it.

The French Representatives affected to give encouragement to Mr. Middleton, the former Resident from Poland, as to a new Revolution to restore his country's independence. He said the business was too thoroughly done. But they told him to keep up his spirits, and Alquier toasted "success to his hopes." The toast immediately went all round the table, and was pledged by Bielfeld himself. D'Araujo was the only one who avoided it, and in a good-humored manner recommended to Middleton to communicate the toast to M. de Kalitcheff, the Russian Minister here, who went away since the French arrived.

The Representatives Alquier and Cochon repeated the strongest assurances that they meant to give every facility to neutral commerce and navigation—that as it respected the United States, this disposition was the result of sentiment as well as of interest.

Alquier apologized for not having sent me the answer he had promised me on Sunday, and said I should receive it this day; that upon my return home I should undoubtedly find it there. He invited me to dine with them sans cérémonie tomorrow.

At table I enquired of Mr. Dedem, the elder, why they

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thought proper to interrupt the communication with England, and whether it was likely to be restored. He told me they had the best dispositions for it possible here, but I must be sensible the inclinations of the French Representatives must be consulted, and any alteration must be solicited of them.

"Disguise thyself as thou wilt, Slavery, still thou art a bitter draught!" These people, French and Dutch, cannot on either side carry through their farce of equality, of independence, or of republicanism. In the midst of all the forms which they cast around the real substance of things, the respective situations and the prevalent ideas arising from each break through upon all occasions. On one side politeness has the garb of condescension, on the other it degenerates into flattery; their equality and fraternity are good as a subject of declamation, but there is nothing of it in their manners and practice.

"We have left everybody quiet here," said Alquier; "we have disturbed nobody. Monsieur the Chargé-d'affaires of Prussia can bear us witness to that;" and, saying this, turned to Bielfeld, by way of appeal to him for the truth of what he said. Bielfeld said that certainly *he* had every possible reason to be content with their treatment of him. He remarked this circumstance afterwards to me, and said the fact was certainly true. But Alquier's politeness would have suffered no diminution if he had forborne to remind him of it.

Upon my return home I did not find the answer which Alquier had promised me; nor did I receive it this day.

18th. Dined with the French Representatives, with a numerous company, diplomatic, civil, and military. The wife of the Representative Richard, a young and beautiful woman, was the only lady present. I was seated at table between Richard and the Greffier Quarles. Richard told me that he was well acquainted with Mr. Monroe, who was much esteemed and respected at Paris. He spoke of the President[1] in the most respectful terms, and said he was a great man, and deserving of veneration from all mankind. I told him that such was our opinion in America. "And it is the general opinion in France, too," said he. "There may be some exceptions, because great

[1] Washington.

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pains have been taken to prejudice minds against him; but in general we know from what a perfidious quarter those pains came, and therefore they have been in general unsuccessful. We had a Minister in the United States, Genest, who conducted himself imprudently there, and we disavowed all his misconduct. Genest's intentions I believe were not bad; but he fell into bad hands upon his arrival in America, and was impelled to his offensive conduct by people of the country, who wanted to produce a discord between your Government and our Minister to serve their personal views. The British fomented it, and were very glad to see the designs of disturbing the friendship between France and the United States. They were at the same time intriguing with us, to make us believe the American Government was hostile to France. It was the detection of some manœuvres of this kind which opened the eyes of many people among us, and convinced them that they had been mistaken in supposing your President unfriendly to our cause. I am sorry for Genest, because he is a man of talents, and meant well, I believe, though he got led into trouble by bad advisers. We have now sent out Adet, a very able and very excellent man. Fauchet is a man of abilities, but he is a young man, and not equal to an embassy so important as that of the United States; we consider it as an embassy of the first importance, and have now sent a man who, by his talents and by his manners, will be fully equal to it."

Upon mention of the late decree of the Convention, restoring the members heretofore outlawed, "Yes," said he, "and I am very glad to hear of it. I want to see everything disappear of that system which for fourteen months desolated France. I was so fortunate myself as to be absent in mission with the armies almost the whole of that time, and was always glad to be absent in those cruel times."

He again returned to his favorite topic of the miracles performed by their armies; mentioned that under their former government they had troops who fought very well in the war of our Independence; but the officers, who were then and are now in the service, say that the troops do infinitely greater wonders now than they did then. Pichegru himself was to

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have gone to America during that war; he was embarked at Cadiz, being then an officer of cavalry; but the expedition was countermanded. "Our armies were then fighting for your liberty, and that gave them an extraordinary ardor; but now they fight for their own, and nothing is impossible to them. We don't allow ourselves in the campaign more than two or three hours' sleep in a night; and I remember I once was so totally exhausted that I fell asleep on my horse in the midst of an action." Such an instance of indifference to danger could not possibly be heard without notice and admiration, and, to qualify the exalted opinion of his courage with an idea of modesty equally supernatural, he added, "It is true, I was then exposed to the danger only of the cannon. But upon simple marches I have very often slept three and four hours at a time upon my horse, as we went along. At the beginning of the war, it was absolutely necessary for the Representatives in mission to be the first to expose themselves to every personal danger and every hardship, because the good will of the soldiers to hazard and endure depended very much upon having the example set them by us. But now it is so universal a thing, and they have been so long used to it, that they go on without minding, and often without knowing, whether the Representative is with them or not. Our maxim is, that whatever an army is commanded to do, it must do. So if we have an enemy before us, we attack; we fight all day; but if we have not beaten him, we sleep upon the field; as soon as daylight appears, we attack again, and continue fighting in this way until we succeed in our object."

This is certainly the true system of war which the French armies have pursued: it has been crowned with complete success, and must necessarily be so, when it is practised by brave men and a powerful superiority of numbers; but both these circumstances are requisite to give any utility whatever to this art of war. In any other case it must be pernicious and destructive.

†We had a band of music playing during the dinner. Richard asked me whether there was much taste for music in America. I told him no; that American genius was very

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much addicted to painting, and we had produced in that art some of the greatest masters of the age; but that we had neither cultivated nor were attached much to music; that it had always appeared to me a singular phenomenon in the national character, and I could not account for it otherwise than by supposing it owing to some particular construction of our fibres, that we were created without a strong devotion to music. "Oh, do not say so!" said he; "you will be chargeable with high treason against the character of your country for such a sentiment, especially if you were to deliver it to an Italian or French connoisseur and virtuoso." "I suppose so," said I; "but then I must rely for my pardon upon the other tribute which I have paid to my country's genius in the article of painting. As for the rest," I added, "I pretend not to trace the cause of the fact, but music is not an object of enthusiasm in America; and that Marseillaise hymn, that your band are now playing, reminds me of a forcible proof of the fact I have stated. The Americans fought seven years and more for their liberty. If ever a people had occasion to combine the sensations of harmony with the spirit of patriotism, they had it during that time. Yet there never was during the whole period a single song written, nor a single tune composed, which electrised every soul, and was resounded by every voice, like your patriotic songs." "That is indeed," said he, "a very strong fact." I told him that if I could be permitted to cite myself as an instance, I am extremely fond of music, and by dint of great pains have learnt to blow very badly the flute—but could never learn to perform upon the violin, because I never could acquire the art of putting the instrument in tune—that I consoled myself with the idea of being an American, and therefore not susceptible of great musical powers; though I must do my countrymen the justice to say that few of them are so very dull as this; that I knew many who had a musical ear, and could tune an instrument with little or no instruction at all.

I know not whether the Representative Richard finally concluded that I was guilty of debasing the genius of my country; but the American character needs no speaking-trumpet of vanity to proclaim its praise. For us the voice of truth and

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of justice is enough; and on that ground we shall never dread the test of comparison with any nation upon earth.

In the midst of this discussion an incident occurred which gave a full proof that some of the musical enthusiasm which Richard thought so essential an attribute of the dignified human character, is, among the French, the result of fashion, and not of an accurate and discerning taste.

Alquier complained that the music performing was bad, and, after some time, declared that one of the clarionets was discordant. The director of the band was called, and ordered to make the harmony more complete. The discord, however, continued. At length Richard assured Alquier that there was none—that the effect only proceeded from the loudness of the instrument, and its proximity. Alquier insisted, and appealed to Madame Richard, who confirmed his judgment. The clarionet was pronounced discordant, and the decision, as far as I could judge, was just. On one side or the other a discerning ear was certainly deficient; and both were too much in the ton not to be enthusiastic musicians, for Alquier made a number of grimaces and shrugged his shoulders at every grating sound; while Richard, in the full confidence of delicious enjoyment, was positive that there was not a discordant sound.

He returned to the subject of painting; asked me the names of our great painters, and whether they were historical painters. I mentioned, among the others, Trumbull, and his design of painting a series to give the history of our war—with his two first pictures, and the engravings nearly finished, of the deaths of Warren and Montgomery.

He enquired whether we had any of the originals of the greatest masters of the schools. I answered very few. "Ah! parbleu," said he, "vous me faites venir une idée." "Yes," putting his finger to his forehead as a promise of remembrance, "yes," said he, "I will remember it. I will not forget this idea." He paused a moment, and then added, "We will send you some. You must form a National Gallery. We will send you a number of very fine pictures. We can do it as well as not, for our Government has got an immense number of them. How do you think such a present would be received?" "No

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doubt it would be received," said I, "with all the gratitude that would be due to it." "Well," said he, "it is a good idea, and I will not forget it." I believe my promise of gratitude is as good as his promise of pictures.

I had also some conversation with the Greffier Quarles. He said he should have gone to America had not the late Revolution taken place; mentioned his having been obliged to resign his former office of Deputy Greffier after the Revolution of 1787; that, after that, he had retired into the country and lived as a farmer about five years, until he was called from his obscurity again by the late change of affairs.

He enquired after my father, whom he knew when here. "I remember," said he, "that soon after his admission here as American Minister, I saw him one day and asked him how he liked the country, etc. He said he had that day remarked a circumstance for which he could not well account. That, having occasion to present a memorial to the States General, he went in the morning according to custom, and delivered it to the President; that, afterwards, he had been to visit the Prince Stadtholder, and was very much surprised to see the same man, who in the morning had received him formally as President, then open the door to him as the Prince's valet, otherwise called his chamberlain."

I told him that it was unquestionably an absurdity under their former Government, to see, the same day, a man acting the double part of head of the Legislative body and of a personal retainer to the executive Chief; but that probably nothing of this kind would be seen under the new order of things; to which he assented.

He enquired respecting Mr. Dumas. I told him I had understood he had demanded that a resolution of the States General, passed in the year 1788, respecting him, and, as he thought, injurious to his honor, should be rescinded. Enquired whether it had been done. He said no; that some sort of resolution had been taken, but the former record could not be erased unless I would take some measure in his behalf; that if the Government of the United States would interest themselves in his favor, there was no doubt every attention would

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be paid to their representations, and he appeared desirous that I should embark in the cause. I told him that I was not thoroughly informed of the transaction, and if Mr. Dumas desired the interference of the American Government, I was persuaded he would solicit it.

Richard enquired if there were many French emigrants in America. I told him very few. "Those emigrants are very dangerous people," said he; "I hope your Government will keep a watch over them. They have deep designs, and may be intriguing when there is no suspicion of them. Though I am persuaded," said he, "that a great many people have been forced to emigrate, who would never have done it from choice, but were driven to it by terror. Have you many of the emigrants of the old monarchy?" I answered I knew of none. "No," said he, "that is not the country in which they sought refuge." "There are a few constitutional emigrants," said I. "Yes; there is Noailles," said he. "Noailles went to the public audience of the President with the old French uniform and a white cockade, and announced himself as the Vicomte de Noailles, a French officer. The President told him he knew no Vicomte de Noailles, and no French officer in that uniform. Then he attempted to get introduced to the private audience of the President, but met with an equal repulse there, and the President would not see him." I know not where he got this story. I make some question of the facts, but made no observation to him on the subject.

I enquired of him what is at this time the state of cultivation in France. "Greater than ever it was," said he. "I have just travelled the country from Paris here. It is everywhere in a high state of cultivation. The grain is already grown two or three inches high. All France is in a higher state of cultivation than it was before the Revolution, because many hunting-grounds have been converted into grain-fields. The English traveller, Arthur Young, says, that wherever he found a *château*, there he found barrenness all round it for some distance; but he would not find it so now. Notwithstanding the great armies we have on foot, men are not wanting for cultivation, because our population was so great heretofore, that five or six men

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were taken to do the labor that may be done by one. A peasant, for instance, would have a certain field to labor with three or four sons; all labored partially, because none could labor elsewhere. But now the sons come to the armies, and the father remains behind, and is able to do all the work himself. Our vineyards are carried to a greater perfection than they have ever been." He then enquired whether we had vineyards in America. I answered that all attempts to introduce them hitherto had failed. He recommended very strongly perseverance in the attempt, and said we could easily get assistance for the purpose from France. I replied that as long as our people could get foreign wines better and cheaper than they could be raised among ourselves, we should probably not succeed in raising them at home. It will be well to obtain information on this head.

After we rose from table I had some conversation with one of the officers, and one of the Secretaries; their names were unknown to me. Very civil, polite people. The Secretary said he believed the English were very glad that the slaves had been freed in the French islands; that he supposed, after this war, all the West Indies would be free and independent of any European control; that by their proximity to a free country they would naturally imbibe the spirit of freedom. I told him I somewhat questioned that; that our intercourse with the West Indies was simply commercial, and we had no political communications with them at all. "Then the propagating madness has not reached you?" said he. "Madness!" said I. "Do you venture to call it madness? Your Government seemed to countenance the system at one period, and even since your arrival here, some of your countrymen have told me you were very soon going to London." "Oh, yes," said he, "I hope we shall have the pleasure of seeing you there to breakfast; and if you please, we will dine together on the same day at Vienna, and take lodgings that night at Constantinople. But to be serious, I hope you will not attribute to the French Nation such a wild system as that." I told him I had always done them more justice; but I was afraid such an *opinion*, though without foundation, would have a tendency to protract the war.

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They were a *conquering Nation*, and whatever moderation conquerors might have, it was extremely difficult to establish an opinion of it. "Ah!" said he, "if we could but conquer our happiness; if we could but become a happy Nation!"

Young Dedem exhibited a great number of views and figures, drawn by him from the life in Turkey, Greece, and Egypt. They were very well drawn, very well colored, designed with taste, and executed with a delicate pencil. His father was very proud of them, and through him the Representative Alquier paid the young man many well-deserved compliments upon his possessing this useful and agreeable talent. He was highly gratified with the praise, and it was a well-earned reward.

Baron Schubart told me his courier to Hamburg would not go till Friday. I took the opportunity to mention to the Representative Alquier my desire for an answer which he had promised me. He made all possible apologies for not having sent it before; and excused, with all the disarming complaisance which is so much at their command, his want of punctuality, that I could not possibly think of it with any dissatisfaction. It was all repaired, and I was promised that my answer should infallibly be sent me by to-morrow, 2 o'clock P.M. The only reason why I had not yet received it, because the Secretaries had been so much engaged that they had not yet made out the copies in all the registers.

In my turn I apologized for repeating so frequently my solicitations, and withdrew.

23d. Mr. Petry dined with us. This gentleman I saw in Paris in the years 1778 and 1783. He is an Englishman, but has been more or less connected with many Americans. He told us, among other things, several anecdotes relative to the famous contest between our former Commissioners, Deane and Lee. In February, 1778, he says, very soon after the Treaty between France and the United States was concluded, and on the day when the American Commissioners were first presented at the Court, he went with them to Versailles; that on his return he received letters from England, and in one of them his friend says to him, "You have

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been very secret in not communicating the Treaty lately signed in Paris, while I have seen a letter with intelligence direct from one of the Commissioners, which says, 'Last night the new articles of partnership were signed, and whatever the old partner may think of them, it is still in his power, if he pleases, to come in for a good share.'" This extract Petry then read to Deane, who was already recalled home, and was to set out the next day from Paris, to sail for America. Deane asked his leave to take a copy of the above quotation, which Petry consented to. Deane afterwards brought several charges against the Lees, and among others that of having given advice in England of that Treaty's being signed, contrary to the express and solemn obligation of all the Commissioners, who had agreed that it should not be divulged to any one within forty days afterwards. The fact of divulging was very positively denied by the Lees; and Deane, not having the authentic document, afterwards wrote to Dr. Bancroft a letter in cypher; but the postscript to which was uncyphered, and was thus: "Ask our friend Petry for that letter which contains the proof of Lee's having written to England that the Treaty was signed, on the day when it happened." This letter was intercepted, published in the American newspapers, and from them extracted into the English. When they appeared in the latter, Petry was in Paris, as was also Arthur Lee. William Lee, the former Alderman of London, was then at Frankfort. Arthur Lee wrote Petry a civil and gentlemanly billet, requesting him to declare positively whether he had ever known of any letter written by him, Arthur Lee, which could authorize the assertion contained in Deane's postscript. Petry answered that from the terms upon which Mr. Arthur Lee and he had been, he should have expected Mr. Lee would have made an amicable and verbal enquiry, and received his answer in that way; that, however, he would answer him with the utmost candor and frankness, that he had every reason to believe the letter to which Mr. Deane's postscript referred was not written by him, Mr. Arthur Lee, but by his brother, the Alderman. Lee replied, thanked Petry for his very civil and polite explanation, but said the circumstance as to his brother must have arisen

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from some mistake, as, to his certain knowledge, the signature of the Treaty was not known to his brother until six weeks after it took place. The forms in this instance, says Mr. Petry, were well enough; but the lie was unnecessary, and could answer no purpose. But William Lee took the matter up in a very different manner. He wrote from Frankfort to Petry, demanding in the most peremptory manner of him a positive declaration that what he had said was without foundation, and an explicit answer from whom he had the story, or else that he would meet Lee at Valenciennes on a given day, but a short time distant. Petry had scarcely time after receiving the letter to take post horses and reach Valenciennes on the day assigned. He then wrote to Lee that had his conduct or letter to him been conformable to the common rules of civility among gentlemen, he would have answered him fully and explicitly; but that the tone he had assumed was such as precluded any other answer than that he was at Valenciennes, according to Mr. Lee's invitation, and ready to receive his commands. He sent this billet to Lee's lodgings, but, not hearing from him in return, sent again the next morning, and was told that Lee had taken post horses and set out on his return to Frankfort. "And from that time," said he, "I heard no more from him. The truth of the fact was," continues Mr. Petry, "that William Lee wrote the original paragraph, which gave occasion to all this altercation, to Edmund Jennings, then in London. Jennings showed it to Mr. ——, who was the person that wrote the account to me."

This conversation of Petry is here minuted as accurately as an attentive recollection could take from his own words, because it is a testimony from the first hand of a circumstance which will be doubtless noticed in the general history of America. Not a word is added, not a word is diminished. The two principals of that contest, which became almost national, have lost the enmities and all the personal passions which could actuate either of them, in the silence of the grave. As a matter of fact, it is now an incident to be ascertained, and the declaration of an agent in the business deserves particular notice.

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Petry says every probability indicates that Deane's death was voluntary and self-administered. That he was at Gravesend, on board a vessel destined for America, to which he was returning, after having been for some time in extreme misery in London, and supported principally by Lord Sheffield and his friends. His brother in America had invited him to return, and had promised him support there, in consequence of which he had embarked. He was there found one morning dead in his bed.

The fate of this man adds one more lesson to human ambition and human vanity. Deane was a man of talents and ingenuity. At the commencement of the American Revolution they raised him to a station of eminence, to an agency of conspicuous importance. He was not temperate in his elevation; his conduct was vain, imprudent, and prodigal. The consequence was a recall without further employment. He endeavored to persuade the public, perhaps he persuaded himself, that he had been the victim of a party or a faction, without any fault of his own. The public was not convinced. He was soured by his misfortune, and naturally saw the circumstances of his country with partial eyes. His passions became interested in the ill success of the United States, and his feelings betrayed themselves in his conversations and in his writings. Hence those verbal accounts given by him in France towards the close of our war; hence those letters which he wrote, and which were intercepted and published, not without some suspicion of his connivance; hence, in short, as I believe, all that conduct at that particular and critical period, which had so many effects similar to what treachery would have produced, as convinced many Americans that he was a traitor, and indeed so many to put him upon a footing with Arnold.

It completed the ruin of his reputation in America, and made him so obnoxious, that it is to be presumed he was afraid to return home again. He took up his residence in England, therefore, and being poor, and irritated more and more against his country, he furnished materials to Lord Sheffield for the pamphlet which he published, the great

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object of which was to prove in Great Britain that although they had been defeated in the armed contest, the means of triumph were yet in their hands, and to succeed required only that the war should be made entirely commercial, and as such continued, though in a military view the peace was concluded. That Deane furnished the principal materials for this pamphlet is not questioned at this day, though he meant it should be secret. For after the fact was discovered, he published an address to the People of America, in order to defend himself and remove some of the detestation of him and his conduct, which at this time had become universal in that country. In this address he denies that he wrote the pamphlet published under the name of Lord Sheffield, and appears desirous to persuade that nothing in it can be attributed to him. Lord Sheffield was believed, and the British Ministry adopted, with regard to America, a commercial system which has led them to the verge of another war, but which they still think has been highly prosperous to them. Deane was certainly its author, and one would have thought the Ministry would have rewarded him in some form or other. Instead of which, he was barely supported for years, in extreme misery, by Lord Sheffield, and, most probably, despair resulting from the alternative of starving in Europe, or of living upon the charity of his friends in America, an object of the public hatred and contempt, without having the miserable satisfaction of having his wretchedness veiled by obscurity, armed his hands against his own life, and he fell a victim to his own weakness, discovering by his life and by his death that the temperance and fortitude which respectively adorn the states of human prosperity and adversity were neither of them allotted to him.[1]

24th. Alexander Wilson, of Philadelphia, and Lewis Seebohn, of Pyrmont, in Germany, both of the religious society called Friends, or Quakers, came this morning to request my interference in their behalf, to obtain permission for them to pass through the French armies on their way to Hamburg. I ac-

[1] From the publication lately made of the letters of George III. to Lord North, it appears certain that Deane was more or less in the pay of the government during the war.

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cordingly sent to enquire when I could see the French Representatives, but found they were all gone from the Hague. I therefore wrote a letter in behalf of these Friends to General Moreau, Commander in Chief of the Army of the North, now at Utrecht, and solicited of him a passport for them. I recommended to them to take this road in preference, as it was partly on the way to Hamburg. They had brought a letter from Mr. Bourne to me, recommending them to me. They professed to be grateful for the disposition to serve them manifested by the Consul and by the Minister. It was gratitude for services trivial in themselves, and constituting part of our duty. But gratitude is a virtue of particular force among these people, and they more frequently carry it to things too minute than fail to show it where it is due. Wilson presented me several of their religious books and pamphlets; his errand to Europe was religious, and he came as the companion of James Pemberton, who died at Pyrmont on the 30th of January.

29th. Bielfeld sent me this morning a billet, inviting me to go with him and take a parting view of the late Stadtholder's library. He called accordingly at eleven. We first went to Mr. Euler's, the Librarian. He is a sort of virtuoso, and has a number of minute curiosities in his house. Several other gentlemen and two ladies were of the party. Mr. Euler, as may be supposed, is grievously afflicted and indignant at the fate impending upon his charge. The French conquerors, who respect all private property, consider that of the Governments with which they are at war as the lawful fruits of their victory, and this library is to be removed in a few days to Paris. The new Government here might silently acquiesce in this measure, as they cannot prevent it. They might forbear to bestow their applause upon circumstances really humiliating to the nation.

The library consists of about four thousand volumes. It contains most of the voluminous compilations with which modern literature and science have been at once burdened and adorned. There are few very magnificent editions, and a proportion remarkably small of English books. We saw no valuable, and only one curious manuscript. It appeared to be a monkish collection of legends with a great number of mystical

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colored figures. A representation of the late King of Prussia, in wax-work, was the only curiosity that drew our attention, but it is indifferently executed.

30th. Received a letter this morning from Alexander Wilson. He informs me that General Moreau, after reading my letter, immediately gave him and his companion a passport, authorizing them to go through any part of the Northern Army without hindrance or molestation. They obtained not long since a similar passport as to the British Army from General Abercrombie. These facilities granted at the same period, by the Chiefs of armies contending with fiercest hostility against each other, to men whose principles and practice recommend universal peace and reciprocal good will to all mankind, show the liberal spirit of the age. Why can they not be considered by both parties as incentives to the adoption of those pacific dispositions which would establish a real fraternity among men?

April 3d. Wrote to the Secretary of State, etc. A day of insipidity, like so many others. Finished the reading of Torcy's Memoirs, having before read D'Estrades and D'Avaux. Mr. d'Araujo says we must henceforth not look back to anything that has ever been done heretofore. There is not, indeed, the same advantage in possessing the principles and experience of able negotiations, because the present state of opinions and of practice requires a different theory. Some use, however, may be made of this reading. At least it increases the knowledge of history, and gives lessons of analogy which have some use for application to every position of affairs among men.

4th. Dined at the Count de Lōwenhielm's with a company principally diplomatic. The conversation at table turned upon the characters and talents of women. After dinner, Mr. d'Araujo had much to say of Rousseau. D'Araujo appears to be the character the most fairly and strongly marked among the Ministers now remaining here. He appears to have learning and information, and he is not unwilling to make it appear. He does it, however, without affectation, and with all due civility. Count Lōwenhielm spoke in terms of great respect and admiration of the President of the United States, and of the neutral system of policy pursued by the American Government in the

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present war. Upon the observation that the Regent of Sweden had pursued the same wise policy, he said that it was the example of America which had encouraged it, and the Swedes were obliged to the President of the United States for being the first to stand forward with that example, which encouraged them to imitation, and secured to them such great advantages and such exemptions from the common distress in which all the nations now at war are involved.

14th. Walk to Scheveling with Bielfeld. I find him still agreeable and entertaining. Our conversation was political, literary, and critical, without sliding, as it often does, into the bottomless pit of metaphysics. He told me some anecdotes about the second King of Prussia, the father of the late Frederick. He says that his correspondence with the Minister he then had at the Hague was never upon subjects of state, but consisted simply of commissions for purchases. At one time he writes for six pair of worsted stockings; at another for a cook-maid, and requires particularly that she should know how to stew prunes. He once ordered a Minister who was taking his audience of departure, going upon an Embassy to Sweden, to purchase him a pair of leather breeches. Speaking of the late King, Bielfeld has not so high an opinion of his character as his reputation in the world would inspire. Of the present sovereign he says of course but little. His opinion is discoverable in his silence. He told me, however, that the characters and representations in the Secret History of Mirabeau are all founded in truth, and accurate to admiration—at least as the Court was at that time. What it may be now I shall not presume to say, said he. He says that the people of Prussia are extremely quiet. That a riot or insurrection is a thing which never enters the imagination of any of them; and he foresees that the Government has before it the prospect of a long and uninterrupted tranquillity. For there are but three sources from which insurrections and revolutions generally proceed. They are,—disorder of the public finances, religious persecution, or judicial oppression. Whereas the finances in Prussia are in an excellent situation, or at least they have been. The present war may have produced some alteration in this

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respect. All religions are tolerated, and the administration of justice is excellent. So that we have no reason to fear turbulence and rebellion. This theory appears very plausible, but it is always in vain to look forward into the history of nations. The course of events is so different from everything foreseen, that one would think it is one of the professional employments of the Fates to baffle all human penetration.

16th. Dined at Baron Schubart's. Company not thoroughly assorted. There was a young French officer, of the name of Souven, who amused himself and fatigued the company during the whole dinner-time. The officer quartered on Mr. Scholten, silent, modest, and unassuming, served entirely to set him off. Almost all the company went in the evening to the French comedy. The performances were tolerable. Seated next to General Dumonceau and to Mr. Brito. The General informed me of the peace concluded between France and Prussia. Brito promised me the perusal of some English papers he has just received. We returned to Baron Schubart's, passed the evening and supped. M. Levsen beat me at chess. After supper the conversation became romantic and mystical, owing principally to the presence of the ladies, Madame Scholten and Madame Nederburgh, a beautiful young woman, whose husband is in the East Indies. It ended in a discussion upon the commonplace of Love. Scholten and Spaen are both sensible men, and each of them has the opinion so common among men, that his genius is universal and extraordinary. Spaen is at the same time amiable in his manners, modest and pleasing in his address. Scholten values himself much upon his frankness and sincerity; upon his disregard of ceremony, and contempt of the little complaisance usual in society. He sees a merit in indulging his own habits and his own feelings, while he prides himself in having no respect for those of others. He is jealous, suspicious, timid, vain, and above all, selfish. This last quality, though not peculiar to him, characterizes him best. A dramatic writer might copy from him a model of egoism united with a good understanding. Spaen and he are both authors, and even poets; so they both of course dogmatized a little; not without warmth, as they differed in their opinions. Scholten's senti-

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ments were such as might be expected in the creed of an old woman of the last century—the mystical union of souls, the impossibility of a second love, a state of pre-existence, a tutelary angel, &c., &c. Baron Schubart also confessed his belief in most of these articles. This gentleman, without pretending to so much genius, is very amiable and agreeable in society. Benevolence of heart is, he says, the first of all qualities in his opinion, and I believe his practice agrees with his theory. It was very late when the company broke up.

18th. Unintelligible billet received from Mr. Scholten, on returning from my usual walk. Refused. Spent the evening, however, according to his invitation, at his house. Company nearly the same as at Baron Schubart's. Played quadrille. Madame Nederburgh lovely, poetical, and pleasant as before. It was decided after supper that every person who began to speak upon a political subject should pay a pawn. The offence and the punishment went round the table; excepting Mr. Euler, who escaped, and Mr. Scholten, who made a principle of refusing to pay. He *never* plays at pawns. In the course of the conversation he affirmed something. His wife asked him to say so upon honor. No; he *never* pledges his honor upon common occasions. In both instances there was some reason, but more of character. The amusement of playing pawns is puerile, insipid, and cheerless. Nor is it necessary to pledge one's honor to trivial circumstances. But neither is it necessary, or calculated to produce individual or social enjoyment, in the ordinary intercourse of convivial society, upon the most trivial occasions, and in cases where virtue and vice are equally out of the question, to meet every effort to promote mirth, or at least pastime, with the quills of a principle. The redemption of the pawns terminated, as usual, in saluting the ladies, a ceremony from which the persons exempted would have derived as little satisfaction, though not quite so much pain, as was discovered by Mr. Scholten. The next subject of amusement was a number of charades and bouts-rimés produced by Madame Nederburgh. It was finally agreed that four bouts-rimés should be taken, to be filled by each of the gentlemen present, and produced on Monday at Madame Nederburgh's,

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when the ladies should pronounce upon the merit of the best. These diversions entertained us till two in the morning. This is not one of the occasions when "the Heart distrusting asks if this be joy." There could be no room for such a question.

20th. Walk to Scheveling. Was caught in the rain. Evening and supper at Madame Nederburgh's. The verses on the bouts-rimés were produced; and Bielfeld, not having written, copied them all, to have them in the same handwriting. After supper, Madame Nederburgh gave the palm to a quatrain, of which Mr. Scholten appeared to be the author, and Madame Scholten to one of Mr. Spaen. Four new words were then given to be produced at the next meeting, and some time after two we were again dismissed.

27th. We could not accept the invitation to take the ride with our poetical company; but we passed the evening at Baron Schubart's, and the bouts-rimés were again produced after supper. The preference, as before, fell upon Messrs. Spaen and Scholten, only the ladies changed the object of their respective votes. The best of the whole collection that I saw were of Mr. Spaen, but which he did not insert, and did not concur for the palm. The best of those that concurred were of Bielfeld, but they did not obtain the merited preference. I speak with confidence, because I declined entering the lists this time.

Enquired of Mr. Scholten what books had been written and published, containing the best accounts of the Canals and Dykes of this country. He said there were a great number, in Dutch, French, and Latin; but that an academical dissertation of the Pensionary Van Bleiswick, de Aggeribus, was one of the best.

May 1st. Went to Amsterdam by the morning post-waggon; arrived there between one and two o'clock. After dinner, Mr. William Willink and Mr. Hubbard called on me, and informed me they had agreed Mr. Hubbard should go to England, there to make arrangements relative to the funds of the United States received by Mr. Pinckney, and destined for the payment of monies which will become due here in June. This plan appears to me very difficult of execution, and objectionable in many

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respects. I mentioned most of the objections, and found them decided. Mr. William Willink intimated to me that they considered all the responsibility of the business to rest upon them. From this determination I endeavored to avert them by urging an attempt to the renewal of the instalment. Mr. Willink finally declared explicitly that they would not undertake that without an express order from me, in writing, to make a sacrifice of ten per cent. as a premium for renewal. I answered that I should certainly give no such order, and indeed that I could give them no orders on the subject. Mr. Willink was going immediately into the country, and desired us to dine with him there to-morrow, in order to make the necessary arrangements. Mr. Bourne called on us, as did Mr. G. W. Erving, who came very lately from London, and whom I was somewhat surprised to find in this country.

2d. Went to Haerlem with Mr. Hubbard. Dined at Mr. William Willink's country seat, and drank tea at his brother John's. The name of the former is Bosch en Hoven; that of the latter, Bosch en Vaart. They are handsome, though not magnificent houses, with gardens according to the common custom of the country. That of Mr. William Willink cost him, with the repairs he found necessary, nearly an hundred thousand guilders. Its annual expense to him must be of two or three thousand. It gives him no income whatever. "If there is a luxury," said he this day, "it is a country seat." Such is the common opinion here, and people who unite the greatest wealth with an economy that in any other country would be called parsimonious, indulge in this luxury to an excess unknown elsewhere. They generally spend the Saturday and Sunday throughout the year at country seats; the remainder of the week in the city, drudging for the accumulation of enormous wealth. The gardens have nothing remarkably agreeable; every thing is cut up and fashioned by the rule and square. The hot-houses appear to be the most useful part. We saw strawberries in their state of full maturity; apricots half ripe, and peaches of the size of a walnut. The wall-fruit trees are covered every night during the season with double mats of reeds and flags. We returned to Amsterdam in the evening,

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having as an addition to our company a French gentleman whom we found at Mr. John Willink's.

6th. Mr. Hubbard called on me this morning very early, intending to set out on his voyage to England. Delivered to him all the papers I had prepared for him, and he set out. Walk in the wood at noon. When I came home I found a billet from Mr. N. Van Staphorst enclosing one from Hubbard to him, informing him that he was arrested, and Mr. Van Staphorst requesting me to go with him to the Commander of the place and *obtain* his release. I could not go to obtain his release from a French military officer; but being desirous to take every proper measure in the case, and at least to know the cause of his detention, I went immediately to the lodgment of Amsterdam. Found Mr. Van Staphorst at dinner, and soon after went with him to General Delmas, the present Commander, recently substituted for Dumonceau. Upon enquiring what was the cause of Mr. Hubbard's arrest, the General said it was because he was going to England; a thing prohibited and therefore suspicious—because he had a passport from the States General dated but two days ago, and inspected by the Representative Ramel, who had been a fortnight in Paris. Mr. Van Staphorst told him that it was because their High Mightinesses had received several signatures of Ramel's upon blank passports for mutual accommodation. Delmas said that he knew nothing about that; but the circumstance had been so suspicious, and heightened by an attempt to go without having presented the passport for his *visa*, as was necessary, that he had thought his duty obliged him to order the arrest, and to send the papers that had been found on Mr. Hubbard to the General in Chief of the Northern Army. That he could not now undo what was done, and the arrest must continue until he should receive his answer. From thence Mr. Van Staphorst went to the Commandant of the Police, Soder, in whose custody Hubbard was. I told him that, in a case where there was a misunderstanding of arrangements agreed on between the French Representatives and this Government, my interference would obviously be improper, and that I must therefore retire. Came home accordingly. In the evening, feeling, how-

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ever, very anxious that Hubbard should suffer this treatment when employed upon business of the United States, I wrote a line to Mr. Van Staphorst again, requesting to know when I could see him. He desired me, in answer, to come immediately to the Hall where the States General were assembled, and which he could not quit. He there told me that Mr. Hubbard was at the Heeren Logement, and that a second express had been sent to Utrecht upon the business. Called at the Heeren Logement to see Hubbard, and found him with a French soldier in his chamber. Visit from Mr. Scholten. Billet relative to quartering soldiers in Mr. Greenleaf's house.

8th. Mr. Van Staphorst again sent me word that the Representative Alquier had arrived here with all Hubbard's papers, and requesting me again to go with him, at four o'clock, to Alquier upon the subject. I called on him at four o'clock, and told him that as the reason given by the commanding officer for his conduct towards Hubbard originated simply in a mistake in arrangements made between the French Representatives and the States General, from respect for both parties I should not interfere in the matter, and could not therefore go with him. On returning home I wrote a card to the Representative Alquier to know when I could see him. It was received from my servant by one of the Secretaries, who said he could not deliver it immediately, Alquier being very much engaged; but would as soon as possible, and promised an answer for to-morrow. A few minutes after, Mr. Hubbard called to take my commands for Amsterdam. He had just been delivered, and had his pocket-book containing his papers returned to him, the seals untouched. He has determined from the first moment to return home, and not proceed upon his voyage to England.

9th. Last evening, it seems, Sieyes and Rewbell, two members of the Committee of Public Safety of France, arrived here from Paris. The Representatives Alquier, Cochon, Richard, and Ramel, who had before been here in mission, likewise arrived. The General in Chief of the Northern Army came at the same time. Brito says the members from the Committee of Public Safety have come to do the counterpart of the alliance made here by Sir William Temple. He was answered that they

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would not easily find a De Witt to treat with. The States General have, however, appointed a deputation of four members to confer with them.

11th. Card this afternoon to the French Representatives just arrived, to know when I could see them—a formality which I do not willingly perform, but which is made necessary to me.

13th. At ten went according to appointment to see the Representatives Sieyes and Rewbell. Met Baron Bielfeld going at the same time. Conversation with Sieyes of about a quarter of an hour. He made a number of questions relative to the Treaty signed by Mr. Jay with the British Minister last November. The answers he received were in a style similar to that of the questions, and terminated with the information that the only public article is one which provides that the Treaty shall not interfere with any previous engagement of either party.

June 11th. Dined at Count Löwenhielm's. Usual diplomatic company. The Generals Moreau and Dumonceau with their aids. Moreau is among those who have no mean opinion of themselves—simple in dress and manners—clever like almost all his countrymen; with the dash of vanity which seems to be among them as much a principle as it is a passion. Dumonceau is a Brabanter, and has some modesty.

July 7th. Dined at the Count's. The French Representative Richard, the Generals Moreau, Golowkin, Dumonceau, and Macdonald, with the other usual company. The Vicomte de Roer and a Citoyen Brulé, the former, an aid-de-camp of La Fayette, left France with him, and was more fortunate in making his escape than his General. Brulé is one of the Secretaries of the Representatives. I had considerable conversation with him; being seated next him at table. We talked especially of the French Ministers in America, Genest and Fauchet. He said that he was some time since walking in the Tuileries, and met a person who went to America with Fauchet as his Secretary; that on his expressing his surprise on finding him there, whom he supposed to be in America, the other said to him, "I am come home to tell you that the best thing you can do is to call home Fauchet and all the rest of us,

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and employ Genest again; for he was really worth more than all of us put together." He spoke himself well of Genest, as they all do at present. He did the same with respect to Fauchet, who, Richard said, was introduced to public affairs too young, and had made some very bad bargains for grain.

12th. Visit this morning from Mr. Houghton, of Boston, who has some property seized; having introduced it here in contraband, unknown, as he says, to himself. Claimed my assistance.

August 28th. Letter this evening from Mr. Van Son. Informs me that Houghton's second petition to the States General is rejected. The Empson and Dudley practice of reviving obsolete penalties, and making the penal laws a snare to the unwary, seems to be adopted and pursued by the present Government here. It has been done at least in this instance. An old law, which had long been without execution, prohibits the importation of foreign broadcloths into this country. The penalty is confiscation, and the profit principally for the Fiscal of the Admiralty, the official informer. Since the Revolution a man by the name of Deutz has been put into the office of Fiscal. Greedy, indigent, and rapacious, his first object is to hunt for the benefits of confiscations. He laid his hand, therefore, upon Houghton's property, which he had brought here upon the faith of a long-established practice, which, though contrary to law, had been connived at, or passed without notice, by the Government. Upon this ground Houghton presented his two petitions. Upon the occasion of the first, I applied to Mr. Paulus, President of the Marine Committee, to whom the petition had been referred. He assured me that permission would be given to carry away the articles. But I found soon after that the Marine Committee had sent the petition to Deutz, the Fiscal, for his advice. When the party the most deeply interested is formally made the judge of his own cause, its issue can easily be foreseen. Deutz was applied to by Mr. Bourne in favor of Houghton; he promised he would favor him as much as possible, and even to make a report favorable to him. Made his report full and decided against him, and then denied his own promise to Bourne. The same course was pursued in

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the second petition. The members of the Marine Committee promised wonders, but sent the petition to Deutz for advice. Deutz, pretending that he had reluctantly followed a rigorous duty in his former report, and that he would show his disinterested benevolence in the second, reported as before. The Committee has done the same, and the second petition meets with the fate of the first.

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CHAPTER IV.

A MISSION TO GREAT BRITAIN.—APPOINTMENT TO PORTUGAL.

THE treaty negotiated by Mr. Jay in 1794, after a severe struggle, was ultimately accepted by the requisite authorities in the United States. The next step was to exchange the ratifications. It happened that just at the moment when this process became necessary, Mr. Thomas Pinckney, the accredited Envoy of America at the Court of Great Britain, was in Spain, charged with the duty of negotiating a treaty with that power, a labor which occupied him some time, and which he executed with success. The United States Government, under these circumstances, decided to call upon Mr. Adams to cross the Channel, for the purpose of completing this operation. The instructions given to him in addition were, to confer further with Her Majesty's Minister touching certain matters of interest, immediately connected with the Treaty, "essential to the establishment of the good understanding between the two countries" hoped for from that instrument. Mr. Adams proceeded to execute this duty at once. The government had assigned the twenty-fifth of October as the limit within which he was to reach London; and in the event of his failure to get there by that time, the duty was to devolve upon the Secretary of Legation at London, Mr. W. A. Deas. The causes of Mr. Adams's detention on the way are fully explained in his diary. He had eleven days to spare. The trip consumed twenty-eight.

In these days of improved communications, it seems surprising that there could have been such petty annoyances in travelling. Yet the effect of them was that on his arrival in London the ratifications had been already exchanged by Mr. Deas, and so far as related to that proceeding his labors and vexations had been all for nought.

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It happened, however, that other questions had arisen pending the process of ratification, which it had been deemed expedient to have settled at the same moment, and to this end directions had been given to Mr. Adams further to negotiate with the British authorities. The idea of the peculiar situation in which this authority would place him seems not to have occurred to the American Administration. The Foreign Secretary, Lord Grenville, very naturally looked to him as provided with the usual diplomatic powers. But these it seems clear that he could not assume without a special nomination by the President to, and a confirmation by, the Senate in legal form. The British Secretary on his side was the more impelled to recognize him for the reason that the tone and bearing of Mr. Deas, then acting in the absence of Mr. Pinckney, had been regarded so offensive as to preclude any expectation of agreeing upon anything with him. Thus followed a singular perplexity, approaching the limits of comedy, the one side earnestly pressing the performance of all the customary forms of accrediting a diplomatic envoy at Court, in order to negotiate with him, and the other as resolutely laboring to escape the assumption of a regular commission, which he could not claim without absolutely losing the opportunity to forward the important objects which his government had thought fit to confide to his care. It is this singular struggle which constitutes one of the interesting points attending the mission.

On the 13th of October, 1795, Mr. Adams makes the following entry in his diary, the course of which is now resumed:

THE HAGUE, *October* 13th.—Dined at Baron Schubart's. Arrived late. The French Representative Richard, the Minister Noël, and the usual other company there. The Frenchmen did not appear much affected by the late tragical events at Paris.[1] They appeared to receive more pleasure from the victory than affliction from the struggle. Richard said that Paris was a child that had beaten its mother and had been whipped for it till it fetched blood. Noël said that the issue was fortunate, though

[1] This was the great struggle of the sections of Paris with the Convention, ending in their defeat.

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it was to be regretted, considering that French blood only had been shed in the contest.

14th. Received this morning from the Secretary of State a letter, dated August 14th, containing orders to repair without delay to London, where I shall find directions and documents for my government. Sent to Rotterdam to enquire when the vessel going from thence to England will be ready to sail. This business is unpleasant and unpromising, but I have no election.

19th. Preparing to go for England. Went to present my brother as Chargé des Affaires of the United States, during my absence, to the President of the States General, Mr. Kempenaer, to the Greffier, Mr. Quarles, and to the President of the Provincial Assembly, Mr. Paulus. Told them I had received orders from the Government of the United States to go to England to transact some particular business; that I expected my absence would be short, and that the relative situation of that country and this rendered it proper for me to assure them that my business there is of a nature which cannot in the remotest degree affect the friendship and harmony so happily subsisting between this Republic and that of the United States. Mr. Kempenaer appeared perfectly satisfied. Mr. Paulus said that they could have no possible suspicion of the friendly disposition of the United States, who might have business to transact in England, inducing the Government to order me there. Mr. Quarles requested me to send a note in writing to him, which he would present to their High Mightinesses, as the Chargé des Affaires must be recognized by the Registers of the States General to authorize him to act, if there should be occasion. That the request for a passport which I made might also be mentioned in the note, whereupon it would be immediately expedited, and their High Mightinesses would then direct their agent, Slicher, to come and wish me a good voyage. That he should advise me likewise to mention the assurance I had given him that the object of my journey is such as cannot affect the interests of this Republic unfavorably. He added that it was particularly necessary at the present time to adhere to forms, and that the States General never

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deliberated but upon what is in writing. I replied that I did not wish their High Mightinesses to deliberate upon this circumstance. I was desirous merely to give them information of the orders I had received from the American Government, and of my consequent intention to obey them. That upon any ordinary occasion it would have been unnecessary for me to add the information of the place of my destination, but under the present circumstances I thought it would be proper to give it, in order to prevent any erroneous suspicions, which I hoped, however, would not have arisen. That I had understood the presentation of a Chargé des Affaires was usually merely verbal, and had not, therefore, given notice of it by a note. But that I was sincerely disposed to comply with all the customary forms, and to accommodate myself entirely to his wishes on this occasion. I would, therefore, immediately write the note and send it to him, as I accordingly did. He mentioned the instance of the Count Löwenhielm, the Swedish Minister, who recently went away on a temporary leave of absence, and had presented Mr. Reuterswerd by a written note.

Met Mr. Middleton walking in the wood. Conversing with him on the subject of Mr. Quarles's observations, he told me that a simple verbal presentation of a Chargé des Affaires had always been customary here, but that Count Löwenhielm had written a note to present Mr. Reuterswerd, in consequence of the same formal scruple of Mr. Quarles that he had made to me.

20th. Mr. Slicher, the agent of the States General, called on me this morning, by order of their High Mightinesses, to wish me a good voyage; so that Mr. Quarles's solicitude will be removed. Slicher said that my departure for *England* just at this time was a subject of observation, but that the friendly assurances contained in my note had given entire satisfaction on that point. Repeated those assurances to him, adding that I had thereby followed the express directions of the American Government, although, at the time when my orders were transmitted, the state of affairs between England and this Republic was less hostile than it has become. He said that I should probably see many of his countrymen in England, as numbers

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of the *matadores* of the former regencies were there. I answered him that I should probably see very few persons of that description.

Visited the French Minister Plenipotentiary Noël,[1] at the palace of the old court. Found him very polite and rational. Told him where I was going. He said I should be in England at an interesting period, as the Parliament are soon to assemble, and, from the present aspect of affairs, probably some negotiations would be at least commenced during the approaching winter. Told him I hoped they would terminate in an early Peace; that I understood the French Nation wished for Peace, that the British Nation must desire it, and that my country, although its neutrality had procured for it several advantages from the war, was also interested in the return of Peace, and sincerely wished for it; that our situation, from various circumstances, had been repeatedly very embarrassing and constantly dangerous during the contest, and that for our own sakes, as well as for that of our friends, we ardently wished for the restoration of tranquillity.

He said he readily conceived that between the opposite interests and claims of France and Britain we must have been frequently perplexed, and in danger of being drawn into the war; which might perhaps have been the intention of the British Government, but which he was happy that we had avoided, for he was persuaded that our neutrality had been much more advantageous to France than would have been our participation with her in the war. "As it is," said he, "the English have intercepted part of the provisions sent from America for us; but far the greater part has arrived, and has been of the greatest service to us, as that is the principal article we have needed; but had you been at war with Britain, that resource must have failed us altogether."

I replied that the neutral state had the more readily been embraced by us, and the more strenuously supported, as we had received the assurance of the French Government that it

[1] François Joseph Michel Noël, originally a littérateur, who, like many others of his class, rose out of the vortex of the Revolution and filled a place in public life with credit and distinction. He survived until 1831.

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was conformable to their wishes, and as we had found it operating so favorably to their interests; that the treatment of the British had been such as could not fail to excite our resentment, and that our friendship for France was unabated. But that the course of a fair and rigorous neutrality of conduct had been pursued, as the most proper effectually to reconcile our own interests and those of our friends; and we believed that, at the close of the war, Great Britain would find she had met with an enemy able to cope with all the force she had at command, and that an additional foe was quite unnecessary for her.

He said that America was becoming every day more interesting as an object of observation; that he had a great desire of seeing that country, and should have been very glad to have gone there. I replied that from the manner in which some of the Representatives of the People had spoken to me of the Citizen Adet, who is lately gone out, I had formed a very advantageous opinion of him; but that I should have been much gratified had he himself been employed on that mission. (The compliment was too bare-bosomed, but was sincere. I shall never know how to make a proper compliment.) He said that the Egyptian traveller, Volney, was now in America, and he was in hopes that his tour through that country would produce general and useful information concerning it; that he was a man of talents and of judgment, a friend of Liberty, but far from having given in to the excesses that had so unhappily prevailed.

21st. At half-past eight took the boat for Delft, and before one arrived at Rotterdam.

HELVOET SLUYS, 26th.—The weather has been this day very moderate, but the wind does not vary. Regret very much at present that I took so few books with me. The only interesting one I have has now been read through, and leaves me to the complete empire of tediousness. The delay of contrary winds or calms on a voyage is one trial of temper. I have often endured it, and generally found it more powerful than my patience or my philosophy. There are no books that can engage my attention and abridge the length of time on such

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occasions, except well-written novels. Let me remember in future to be provided with a better stock. Walked this forenoon with Mr. Allis; wrote a little. Endeavored to read some poetry; unable to give my attention to it. Anxiously looking, twenty times an hour, to all the vanes and weathercocks within sight: always find them inflexibly fixed in the same position. Set out on this voyage determined not to fret at the opposition of the elements. Have hitherto kept my resolution with tolerable success, but am strongly apprehensive that I shall finally surrender.

27th. My complaint against the elements was idle and unjust. They might have been ever so indulgent, and I should be no farther advanced. The vessel got down this day, and at about three in the afternoon the wind became entirely fair. About the same time received a letter from my brother, informing me that my fellow-travellers will not be ready till this evening, and have not expected to be. Soon after, Captain Graham came in, being in a great hurry to get away, but assuring us that the wind was contrary and that we could not sail this afternoon. Several of his passengers were unprovided with the proper passports, and the Captain of the ship of war in the harbor, by whom they were to be inspected, declared that he could not permit them to depart without papers more regular. There were a number of passes from the municipality, which, being in Latin, the Captain could not understand; besides which, he did not admit the right of the municipality to give such papers. After a deal of chaffering and disputing, the only remedy for the persons whose papers were deficient was to go immediately to the Hague and procure their passports there. It was supposed they might go, do their business, and return by three o'clock to-morrow afternoon. But the fear then was that the vessel would go in the morning and leave them. Our Captain declared he could not wait an hour in case the wind should be fair in the morning; but after a great deal of persuasion, as a special favor, consented to *promise* to wait till three o'clock in the afternoon; but upon the condition, which he actually extorted from them, that they should give him a note in writing promising to pay him one hundred florins

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for his complaisance. The gentlemen asked my consent to this delay, which I gave the more willingly because I was persuaded that there was no intention whatever to go in the morning. Mr. Allis and the Captain appear to disagree very much together. But either they really agree, or the Captain has a strong check upon Allis, for the consent of the latter to stay was not even asked, at least publicly, and he did not oppose it. The cargo is Allis's, and he has been here five or six days, apparently very anxious to get off. What can induce him to submit so tamely to a delay which, if he be really ready to go, must be so adverse to his interests? My brother's letter gave me the first suspicion that they have been jointly practising an imposition upon me and all the other passengers, which every observation I have since made confirms. But I have further reason to believe that Allis is under the harrow, and obliged to comply with the Captain's will much against his own, and without daring to take even the consolation of complaining. But hitherto I have as to him only suspicions.

The passengers had not been gone an hour when the Captain declared he should sail early in the morning, provided the wind should be fair. Not believing it to be his real intention, I only concluded that he meant to continue the deception upon me, and cared not what my opinion of his regard for his word was, when other persons were the objects of his promises.

If indignation were of any avail in this case, I should indulge it. If by quitting this man I could procure another conveyance without a very considerable delay, or if by that delay I should dispose only of my own time, I would send immediately for my trunks and leave him. I believe the Captain capable of *anything* that he dares, and regret having any concern whatever with him. Yet on the whole I think the chance of arrival with him as rather earlier than it would be for me to take another course, and, in that consideration, still intend to proceed. I have made a point of preserving an appearance of tranquillity, and even of indifference, as to the delays I now meet with; but I have taken some pleasure in raising a suspicion in their minds that their tricks to deceive me are detected, and at the same time of leaving that suspicion

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in suspense. Allis, I believe, feels it. But the Captain, being of blunter sensibility, still thinks me as susceptible to his manœuvres as ever.

28th. Wind perfectly fair the whole day. In the morning Allis and the Captain made great pretensions of sailing immediately, but, as the forenoon spent, I was at length told that we should have certainly sailed, but the Captain of the man-of-war would not permit the vessel to sail until three o'clock in the afternoon, because the promise to wait had been made in his presence. I observed that I was glad of it, as it would appear to me a scandalous transaction to sail before three, after promising upon valuable consideration to wait till then. The gentlemen arrived with their passports before two, and the wind continued fair. Our contrivers were then reduced to a hard shift for a pretext, and it was accordingly a very clumsy one. The ship was got under sail, and a boat was procured, in which Allis and I went on board. He was told, before we went into the boat, that the Pilot was not on board the ship, but insisted that he certainly must be, and was at the same time in a great hurry to get off without making any further enquiry for the Pilot. Just before we reached the ship the anchor was dropped, and Allis began to lament and exclaim, as much as if it had been unexpected to him. The Pilot was indeed not on board. It was too late in the afternoon to go out. The weather looked dirty, and various other reasons equally substantial were given for waiting till to-morrow morning. I had nothing to do but to return on shore. The Captain asked Allis to send him a boat on board to-morrow morning at seven or eight o'clock. He asked him also whether he had got, *he knew what?* Allis said he did not know what he meant, but finally said, "Oh! you mean the Dutch money. Yes; I have it in my desk." The probability seems that Allis is waiting for something, and pays the Captain as well his demurrage as whatever passengers he may lose by it. This is the only thing that I can conjecture, which gives a consistency to all the various appearances. This is a trial of temper very different from that of an opposite wind mentioned the other day. "I tax not you, ye elements, with unkindness." We submit to the

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opposition of the seasons, if with reluctance, at least without mortification; but to be made the sport of our fellow-creatures and to see no remedy, to perceive the artifices of fraud without the means to discover its track, or to detect its purpose, is humiliating as well as vexatious. I am very strongly inclined to extricate myself entirely from their hands, and to look out for another opportunity to perform my voyage. Another of the sweets of sea travelling is, that I have got into a public house where English temper and Jewish exaction are combined with very bad fare for my entertainment; and in this place there is no better house. So that I have at once to deal with fraud, insolence, surliness, extortion, and ill-nature. Can it be surprising if the effect of all this should be to ruffle somewhat of one's serenity? Yet I still submit without much idle complaint. The want of anything to do, or rather the inability of application to anything important, in this situation, lengthens the details of my Journal, and gives them their character. I have always found that in travelling the only object to which I can devote much attention is the end of my journey, and every thing that tends to advance or retard that magnifies to an interesting point. Human nature, too, and human qualities, are proper subjects of observation in every situation. The knowledge of mankind is principally to be collected from the ordinary occurrences of life, and among those we meet in our ordinary intercourse. One of the faculties that appears to me the most essential to the formation of an extraordinary character, is that of commanding the application of his own mind. It is a talent without which there may be genius, judgment, virtue, and every thing necessary to make valuable, or even good and great men, but which is sometimes of itself a substitute for all these, and in its effects has perhaps a more extensive operation than them all. A man who does not possess it may be persuaded that ambition does not become him, and that, whatever his lot in life may be, *fortune* will always be the principal ingredient in his success.

29th. It was, as far as can be judged at this time, a very fortunate circumstance that we did not yesterday proceed to sea when we went on board the ship. In the course of the

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night a violent gale of wind from the south west arose, and continued almost the whole of this day. We probably could not have kept the channel with it, and must have been at best driven into the North Sea. Towards evening the weather cleared up, and the wind came round again about south. Mr. Allis saw this evening a meteor shoot from east to west, an *infallible sign*, he says, that the wind will be easterly to-morrow. But he is, I think, not yet ready to go, and appears to have something pressing upon his mind. From various circumstances I am led to suspect that the Captain does not intend really to go to England, and I have thought best this day to prepare at least to procure another conveyance.

30th. If the weather of yesterday furnished a consolation for my detention and for the mortification of suffering an imposition, that of the last night contributed to the punishment of those who pass'd it upon me. When the ship was so ingeniously got under weigh, as evidence of an intention to depart which did not exist, she came out from a part of the harbor that was safe and protected from the violence of the winds, and when the anchor was again dropped with so little attention to save appearance, it was in a place where she was more exposed to the force of a storm. The gale which raged so much yesterday was again renewed in the night with redoubled fury, and in the midst of it the ship parted a cable, and drifted for some time. She took no other damage, however, except the loss of an anchor. The storm continued extremely violent, and this morning all the passengers, who have been nearly eight days on board, came on shore. Allis's infallible sign failed as usual for the first time. The gale has been more excessive now than at any time before, and invariable from the south west.

November 4th. Saw Captain Furnald and agreed conditionally to take passage with him. He is not so bad to appearance as Graham, but he could not help dissimulating, if not disguising facts to me. Is it impossible to deal with a trading man without being deceived or imposed on?

9th. After various little difficulties and delays, we at length got on board the Schooner Aurora, Captain Furnald, at about ten this morning. The wind, though favorable, was very light

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through the day, and the Pilot left us at about four in the afternoon. The wind soon after freshened, and carried us between five and six miles an hour all night.

10th. Slept not a wink, for the motion of the vessel. After mistaking a ship's light for that of the South Foreland, the land was really made just before sunrise. At about nine in the morning Mr. Skinner and myself with my servant went into the boat which brought out the Pilot to the vessel. The wind being very fresh and the sea high, it was about an hour before we landed at Margate. On landing we found several persons very curious about the late actions near the Rhine, and who found it very extraordinary that we should not give them all the details concerning them. There are five mails from Hamburg due, and it appears that other people have been as much prevented, by the late gales and contrary winds, from reaching this island as myself. The gales have been still more violent here than we found them in Holland. Great numbers of vessels on the coast, as well as trees and houses on the land, have suffered by them. We stopped at Michener's York Hotel till after dinner, and at about five set out in a stage coach to Canterbury. From thence we proceeded at about nine in the evening with two or three new travelling companions, and, after a second sleepless night, arrived early in the morning at London.

11th. At about eight in the morning I descended from the stage coach and went to Osborne's Hotel, Adelphi Buildings, in the Strand. After breakfasting, went immediately to Great Cumberland Place, No. 1, to see Mr. Deas; but found he was not at home. Went from thence to Mr. Johnson's, the Consul, and delivered him my letters. Found Col. Trumbull with him. Sent my Letters that were to be transmitted. Dined with Mr. Trumbull, at Johnson's. As I was going out, Mr. Deas delivered me a couple of letters from America—one of them from Mr. Pickering, who was exercising the office of Secretary of State, vacant by Mr. Randolph's resignation on the 17th of August.

12th. Called, as by agreement, on Mr. Deas, at eleven this morning, and he delivered me the rest of the papers from America for me. But the first part of my business here was to

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exchange the ratifications of the Treaty negotiated by Mr. Jay, which Mr. Deas was ordered to execute in case I should not arrive here before the 20th of October, and which he has accordingly done. The instructions for the remainder of my destined duties have not yet arrived, so that I am left with nothing to do on my mission here.

16th. Meeting of the inhabitants of Westminster in the Palace Yard before Westminster Hall. Attended it. Saw, but did not hear, Mr. Fox, the Duke of Bedford, and Mr. Grey speak to the people. There appeared to me to be about ten thousand people present. Few of them could hear their Orators, but they waved their hats and shouted with as much fervor as if they really knew what they applauded. Stayed, however, not long.

19th. Mr. W. Vaughan breakfasted with me. Conversation with him on the subject of commercial principles. He says there is some disposition to become more liberal in the Cabinet here, which I something scruple. He has a plan for making a wet dock in London, which is connected with another for making the metropolis and several other cities in this kingdom free ports. But the time to effect this is not yet come. He introduced to me a Mr. Leslie, an American artist of much ingenuity, who showed us a watch of his own construction, which moves without a chain. Mr. Deas and Mr. Bayard called at about twelve. Went with them and Mr. Vaughan to see Mr. Ireland, and saw several of his manuscripts which, he assures, have been lately discovered, and are original from the hand of Shakespear. They are deeds, billets, a love-letter to Anna Hatherwaye with a lock of hair, designs done with a pen, a fair copy of Lear, three or four sheets of a Hamlet, and a tragedy, hitherto unknown, of Vortigern and Rowena. The last we did not see, as unfortunately some company came, to which Mr. Ireland was obliged to attend, and we accordingly took our leave. The marks of authenticity borne by the manuscripts are very considerable, but this matter will be like to occasion as great a literary controversy as the supposed poems of Rowley and those of Ossian have done They will be published in the course of a few weeks; and the play of Vortigern is to appear

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upon the Drury Lane stage. Sheridan has given five hundred pounds for it.[1]

A Mr. Bush, who was introduced to me there, invited me to attend the Common Hall that is to be held to-morrow in the City, to instruct their Representatives in Parliament to vote against two bills now pending there, and commonly called Convention Bills. I accepted the invitation. This Mr. Bush appears to be strong on the opposition party. He made inquiries concerning General Washington (the President), and said he had many a time drank his health when it was almost treason.

Went to the Drury Lane Theatre in the evening. Shakespear's attractions are irresistible. Twelfth Night was performed, with the Spanish Barber. Mrs. Jordan acted the part of Viola, very much to my satisfaction. The whole performance was very good.

20th. Mr. Bush called on me this morning between eleven and twelve. Went with him to the Guild Hall, and were introduced by Mr. Rix, the town Clerk, to a seat in one of the galleries. The Hall was very full; there must have been about three thousand persons present. The motion to instruct the members in Parliament to vote against the bills was made by Alderman Combe, and was supported by Alderman Pickett and Mr. W. Smith, both members of Parliament. It was opposed by Alderman Lushington, a member for the City, and by Sir Benjamin Hammett. The speakers in favor of the motion were heard with much favor, and those against it with as little. The vote to instruct was carried by a great majority. The meeting, upon the whole, was as orderly as such a numerous collection of people possibly can be on an occasion highly interesting to their feelings. But such large assemblies are very unfit for a cool and impartial deliberation upon important public measures. They may serve to ascertain the popular feelings, but they are no places for the triumph of reason.

At Drury Lane Theatre again, to see Lear, which was followed by the Village Lawyer, taken from the French Avocat

[1] This literary imposture, like that of Chatterton, has passed into oblivion with later generations, but it attracted much interest in its time.

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Patelin. Kemble did tolerable justice to the part of the old King, and Mrs. Siddons could not do otherwise to that of Cordelia. But in this instance, as in several others, I have found that the stage does not support the merit of Shakespear in the closet. The acted play is very different from the printed one. An amour between Edgar, the legitimate son of Gloster, and Cordelia, is introduced. And the catastrophe closes with their marriage, with the gift of the kingdom to them by Lear, to whom it is restored for that purpose. If this termination be less pathetic than that of the original, it is more pleasing to those who are fond of poetical retribution. But the sentiment of filial affection, the great characteristic of Cordelia, is weakened by this mixture, and would be almost effaced by it if the love intrigue were not extremely frigid. Mrs. Siddons makes it completely so, and, although this may be considered as a proof of her judgment, the character designed by the poet evidently suffers from the alteration. The Village Lawyer is a mere piece of buffoonery, in which the powers of Bannister Junr., Swett, and Wathen combine to produce a good laugh. I sat next to a gentleman who entertained me with some observations upon the players. The part of Gloster in the Tragedy, he told me, was acted by Packer, one of those who are always called *respectable* performers. "That is a way they have," said he, "of half damning a man. It means more than indifferent, and less than good. An actor had better be any thing than respectable."

21st. Mr. Bayard[1] called on me, and invited me to go with him and attend the session of the Lords Commissioners of Appeals, which I did. They sit in the Cock-pit at the Treasury. Lord Mansfield, of old times notorious to Americans by the name of Stormont, the Lord Chief Justice of the Common Pleas, Eyre, the Lord Chief Baron of the Exchequer, McDonald, the Master of the Rolls, Sir R. P. Arden, Sir William Winne, and two or three others, were present as Commissioners. One cause I heard argued—the case of the Molly, Cap-

[1] Mr. Bayard had been sent to England with a Commission as agent in the cases of appeal growing out of the capture of certain American vessels, under the Orders in Council affecting the interests of neutral Powers.

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tain Young. It was affirmed by the counsel on one part, and admitted on the other, that in this case the property of the cargo was *sworn* by Mr. Fenwick, the American Consul at Bordeaux, to be altogether American, though in fact it was entirely French. What sort of officers have the American Government placed in their Consular employments!

22d. Went with Dr. Edwards, and dined with Sir John Sinclair. The company were a Captain Sinclair, Dr. Percy, Mr. Boswell (not Peter's Bozzy), Sir John McPherson, a Count Rumford, heretofore known by the name of Sir Benjamin Thompson, Mr. Marshall, and Arthur Young, both writers on subjects of Agriculture, and one or two other gentlemen unknown to me. The convivial hours of scientific men are known to be little more instructive than those of humbler pretensions. The conversation was miscellaneous: philosophical, political, and literary. We had some bread made of one-third rice and two-thirds wheat, which I could not have distinguished from fine wheat bread; some water impregnated with fixed air, &c. The Count, who wears a blue ribband, and who has doubtless made philosophy a means for his advancement, told me that he had met with nothing that flattered him more than his having been elected as a member of the American Academy of Arts and Sciences; that he had taken it as a very honorable testimony of the liberality of Americans, and that he retained a great regard and attachment to that country. He mentioned his design of applying a sum of money, the interest of which is to be made an annual premium to be given by the American Academy for the best paper on the subject of Light and Heat. He has applied a similar sum for the same purpose to the Royal Society, of which he is also a member. Sir John McPherson and Dr. Percy made a number of very sensible observations. They both declared their opinion that the manuscripts of Mr. Ireland were unquestionably genuine, but they both expressed an opinion as to the composition of the small papers, and particularly of that called the profession of faith, higher than I think they deserve. Mr. Young appeared neither more nor less than a thick-and-thin political partisan, and such as might be expected from his last pamphlet—somewhat dog-

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matical, and impatient of contradiction. Sir John Sinclair himself was more politically reserved. He told me that his labors for the improvement of the fleece were in a great measure merged in the more extensive pursuits of the Board of Agriculture, instituted under the authority and direction of Parliament by his persevering exertions. His plan was indeed, he said, so extensive that he had not ventured to let it be entirely known, but had added the words "and internal improvement" to those of "Board of Agriculture," in soliciting the Institution, so that the utmost latitude might be possessed for making every species of improvement.

24th. Called on Dr. Edwards, by agreement, between twelve and one, to go with him and visit Mr. West. He proposed to me to take the same opportunity to visit Mr. Morris[1] at the York Hotel, Covent Garden, which we did accordingly. This is the first time I ever saw that gentleman, who conversed with as much freedom as from his character I expected. We had not been there a quarter of an hour when he asked me whether I was accredited to this Court, or was only a Commissioner with full powers. The simple truth is sometimes as well prepared to meet such questions as the most artificial refinement. I answered, "Neither." He then observed that he had not asked the question from an impertinent curiosity, but because he meant, in case my mission was, as had been reported, to negotiate upon the subject of the Treaty, to offer me any assistance in point of information that might be in his power; for which I thanked him. "You will find, I think," said he, "the Cabinet here well disposed to America." "Do you think so, sir?" "Yes, they are so now. They hesitate a little upon the dependence they can place on the American Government. They see such a display of opposition to it from the anti-federal faction there, that they are afraid of losing the neutrality of America." "But," said I, "are they really so much attached

[1] Gouverneur Morris, already referred to in an earlier note (p. 62) as having been recalled from his mission to France for having too deeply involved himself in French politics. One of the most interesting figures in the early period of the Federal government. It is much to be regretted that the biography, prepared from original papers by Mr. Sparks, falls so short of giving the full history and character of the man.

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to our neutrality? Would they not prefer to see that opposition which you speak of kept up in all its strength? Do they not wish to have the American Government shackled and harassed, or driven into measures which shall exhibit to the world the wavering, unsteady policy of weakness?" "Not at present. There was a time, just after their capture of Toulon, when they thought themselves about to carry everything before them, when they were backed by all Europe; then, I suppose, they did intend to bring on a quarrel with America. They imagined they could compass any point they pleased. But they have found they cannot go through with that dragooning system; they have made their arrangements upon a plan that comprehends the neutrality of the United States, and are anxious that it should be preserved. As to their personal dispositions, the King himself is not, and never will be, cordially well inclined towards the Americans; because the greater their prosperity may be, the more poignant all his feelings of regret will be at his having lost so fine an estate. The Prince of Wales partakes of the same sentiments. In the Council there is a great division. Among its members there are several who were the most active and inveterate advisers of the American war. They hate us completely. But the others are very differently disposed. Mr. Pitt, indeed, is not to be depended on. He varies according to circumstances; but Lord Grenville is another sort of man. Those among the Ministers of other nations who know him best tell me that he does not indeed always say all that he does mean, but that reliance may be placed upon all that he does say."

The conversation here took another turn. Mr. Morris, by his own account, must be a very able negotiator, for he gave us to understand that while he was our Minister in France, he knew every thing that was going forward. It was his business to know it, he said, and he told us a number of curious anecdotes connected with the history of the Revolution in France—of the papers he had seen before the 10th of August, 1792, handed to him by the King, and which contained the whole plan of the insurrection that took place on that day. "It was," he says, "planned by the Brissotine party at the Jacobins, but they were

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cowards, and would have shrunk back from the execution, but for Westermann, whom they had employed to command their Marseillese. He was the greatest *mauvais sujet* in France, and when he had once got fairly engaged in that business not only refused to retreat, but threatened the others to denounce them if they flinched. And yet," says Mr. Morris, "those people were not ashamed of declaring the King guilty of an insurrection against the People on that same 10th of August. If, however, he had at the time of his trial put himself into the hands of the other party, they would have spared his life." Chabot himself said so to a person who told it to Mr. Morris. They would not have suffered the trial, by asserting the principle that the Convention had no right to try him. But, as he committed himself to the Brissotines, Chabot said that he must die, that being the only way to get at them.

From this account of a first conversation it appears that Mr. Morris is sufficiently communicative for a man of such extraordinary diplomatic penetration. The time of secrecy as to these affairs is indeed passed. But this parade of sagacity, these lessons in the theory and practice of negotiation so freely given and so liberally tendered—what do they mean?

We found Mr. West almost laid up with the gout. Made our visit to him quite short.

25th. Went in the morning to see Mr. Hammond, who, since his return from America, is an under Secretary of State in Lord Grenville's office. He received me with politeness; told me he was very glad I had arrived, and wished I had come sooner. He said the Ministers, and particularly Lord Grenville, were perfectly well disposed to promote the harmony between the two countries, and I told him that my own disposition was entirely reciprocal. He mentioned the circumstances of Mr. Randolph's resignation, nearly as I had heard them before, and showed me part of a newspaper containing Mr. Randolph's letter to the President on the subject, dated from Germantown, September 19, and promising an explanation of the matter: as also another piece of newspaper, containing General Wayne's Treaty with the Indians. They were both marked "in No. 8" with a pen; a reference, as I conclude, to

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the letter from Mr. Bond that contained them. Mr. Hammond said that he did not mean to speak officially, but as an old friend and acquaintance: they were not satisfied here with Mr. Deas; his letters were too violent and fractious, and expressed in irritating terms. I told him that, being very desirous that every thing of that kind should be avoided, I had learnt with great pain the proceedings of some officers in the British service in America, on which I understood that Mr. Deas had already made representations. "Yes," he said, "he regretted them much; that I might be assured the Ministers would not countenance any misbehavior of the officers; that they could not, however, condemn a man unheard. The Lords of the Admiralty had already issued orders to Captain Home, in order to hear what he had to say in his exculpation, and another Vice-Consul had been appointed in the room of Mr. Moore." I told him that I had heard with much pleasure that a frigate had been dispatched with the orders for making the arrangements relative to the delivery of the posts. He said, "Yes, those orders had been dispatched; but, unfortunately, the frigate had met with such a violent gale of wind that she had been obliged to throw her guns overboard and to return into port; that duplicates, however, had been sent out." This circumstance of the frigate's returning is too remarkable not to be noticed.

26th. Received a card from Mr. Hammond, requesting me to call at his office to-morrow, Lord Grenville being desirous to have some conversation with me on business relating to the Treaty.

27th. Called, as requested, at Mr. Hammond's office, and he introduced me to Lord Grenville. My conversation with him will be related in my letters to the Secretary of State. Some conversation afterwards with Mr. Hammond. He told me he wished Mr. Pinckney would go home, and that I might be placed here in his stead. Enquired whether I should not like it as well as being at the Hague. Answered him that this was a pleasant country, and that personally I thought the residence here would be very agreeable. He asked if I had any news from America. I answered, none. He said he heard *the demo-*

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crats were quite *cock-a-whoop*—talked very high of impeaching the President, &c. "There always will be in all countries," said I, "people that will talk very high. You find that in this country, as well as elsewhere." "Ay," said he, "the best way is to let them talk." "Your Government seem to think otherwise," I might have said; but I preferred saying nothing, not choosing to imitate his conduct. He suggested that the place of ordinary Minister here would be very agreeable to me, because it would be succeeding to the station my father had held. "That may do very well for you," said I. "You may be an aristocrat with propriety; but in my country, you know, there is nothing hereditary in public offices."

This foolish talk of his is very intelligible. "I do see to the bottom of this Justice Shallow;" but he knows not me. If I stay here any time, he will learn to be not quite so fond, nor yet quite so impertinent.

28th. The situation of our public affairs lays a weight of anxiety on my mind that is really distressing. The idea of what may depend on my conduct at this moment, not only as respects myself, but as it concerns the interests of my country, is oppressive. But the die is cast. Here I must be, spite of my wishes and endeavors. My duty to the best of my judgment shall be done; the result must be left to Providence.

30th. Called on Mr. Deas this forenoon. He read me a passage of a letter from Mr. Pinckney, from which it appears that he is to be expected here by Christmas. His arrival will be a great relief to me. Wrote to him, requesting he would expedite his march as much as possible. Evening at Drury Lane by mistake. Lee's Alexander. Great show of representation, but an indifferent Tragedy. Kemble and Mrs. Siddons performed well, as usual. Peeping Tom of Coventry, the farce, humorous enough.

December 1st. Called on Mr. Hammond at noon, as by appointment, and had considerable conversation with him. But his tone with me begins already to be different from what it was at first. His conversation was still such as if he thought my personal feelings or sentiments upon political subjects would have a tendency to make me complaisant. Asked if I had

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heard any thing of the President's intending to resign. Told him no. He said he had heard such was his determination at the expiration of his present term, in case there should be no troubles in the country. What sort of a soul does this man suppose I have? He talked about the Virginians, the Southern People, the democrats; but I let him know that I consider them all in no other light than as Americans. They never shall be considered by me in any other light in treating with foreigners. He spoke again of Mr. Randolph's resignation. I told him I had seen an account from which, if true, it appeared clearly that there was nothing like bribery in the case. He said that the President, Mr. Wolcott, Mr. Pickering, and Mr. Bradford were all fully convinced that Randolph was guilty. I replied that, not having seen the papers, I could not be a competent judge of the facts; that the public officers he mentioned might think there had been improper conduct without believing there was any corruption. He said he had not the smallest doubt but Randolph was bribed by the French; and added, he had better be quiet on that score; for if he presumed to deny it, other proof, amounting to demonstration, would be produced. He said he would show me the next time I should see him the intercepted dispatches of Fauchet. But he promised me the same thing once before, and I question whether he means I shall see them. He says they abuse all the federalists very much, particularly my father (another address to my feelings, fruitless like all the rest); that they speak highly of Mifflin, Dallas, Jefferson, Madison, and Giles; of Randolph and Monroe. "Perhaps," said I, "this was because he thought those persons not much your friends." "Ah," said he, "but they are your enemies more than they are ours." "No, indeed," said I, "they are not in my opinion our enemies." "Yes, they hate us," said he, "because they owe us money, and they hate you because you will not let them owe you money." "Why, they do not owe you much money now; that matter is in a great measure settled already. The old debts are principally discharged; and as to all recent ones, we pay your people to admiration. Indeed, we are the best customers you have. What an immense quantity of your manufactures we take! You

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swallow up almost all the balance of trade in our favor that we get from every other quarter, and your trade with us supplies you principally with the means of supporting your war." "But we are the best customers you have, too. We take more articles of yours than anybody else does." "Ay, but in no proportion to what you sell us, and the balance in your favor is prodigious." "True, there is a balance, to be sure; but as to the old debts, you are mistaken in supposing them small. When that Commission comes to sit, you will find they amount to three or four millions sterling." "Well, the Commission will see; but I have no idea that the amount will be comparable to the sum you suggest."

This conversation was far from pleasant to him. At least it was very different from what he was doubtless disposed that I should hold.

He came at last to a language not less intelligible, but rather more of unqualified acid. "Well, said he, "Congress is to meet next Monday; and if they do not pass such laws as will be necessary to give effect to the Treaty, *we shall be all at sea again.* And I hear that the *Anti-federalists* threaten very high." This perpetual allusion to an American party, and affectation of an idea that our sense of injuries from this country is confined to that party alone, at length gave me an opportunity to touch another string. "Why," said I, "all Governments have their opposition, who find fault with every thing. Who has better reason to know that than you have in this country? But in America, you know, opposition speaks in a louder voice than anywhere else. Every thing comes out. We have no lurking disaffection that works in secret and is not seen; nothing that rankles at the heart while the face wears a smile. So that a very trifling opposition naturally makes a great show." He felt evidently the force of this, and must have meant I should know it; for he immediately after enquired *how I liked* the two bills now pending in Parliament.[1] "They

[1] An act for the safety and preservation of His Majesty's person and government against treasonable and seditious practices.

An act for the more effectual preventing seditious mutinies and assemblages.

The immediate cause for these measures was the treatment of the King, George

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are matters," said I, "of internal arrangement, concerning which I have a right scarcely to form an opinion, in my present situation. But they are as objects of speculation measures highly interesting, and therefore have attracted much of my attention." "Well," said he, "as soon as you have been presented at Court, I will go and introduce you, and you can then take a place under the galleries, in the House of Commons, with the Foreign Ministers; and I will introduce you, too, at the House of Lords, where you can stand behind the throne." "Apropos of being presented at Court," said I, "My Lord Grenville has appointed me to-morrow at eleven o'clock to call on him here, and I understood from him that to-morrow would be the day for my presentation. I have to enquire of you the forms of that ceremony, concerning which I am ignorant." "No forms," said he, "in particular. After the Levee you will go into the King's closet. Sir Clement Cottrell will go before you, and Lord Grenville behind you, or something like, and then you will deliver your credentials. That is all." "They are under a flying seal. Should they be delivered sealed, or open?" "Sealed." "The style of address to the King?" "Sir, and your Majesty. But did Lord Grenville appoint you to-morrow at eleven o'clock? Are you sure it was not at one?" "Yes. It was certainly eleven he said." "Well, then you had better come in undress at eleven, or a quarter after eleven, and you can return to dress before the Levee time."

N.B. He spoke again of the bills pending in Parliament. "I like them very well," said he. "They are necessary to preserve the Government; and that is very important to this country, and to yours too; for, *depend upon it, if this Government falls, your Government will fall too.*" "Oh," said I, "you joke when you talk of a Government *so very strong* as yours falling." "No," said he, "it is not very strong; it is weak, too weak, and we must strengthen it. But these measures will have that effect." "Indeed," said I, "I agree with you that the present period is momentous; that it looks gloomy to the whole civilized world. But you know there is the point where

the Third, on his way to the House of Lords, by a mob assembled at the instigation of popular meetings held by societies organized in London.

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the two opinions part; and while some think that Governments ought to be strengthened, others believe they require weakening. Now, this is a serious question." "Ah, yes, that indeed!" said he. He asked if I had any credentials for the Queen. I told him, "No; that the object of my appointment is special, —merely to transact a particular business; that my character here was entirely informal, and the American Government had not therefore supposed the credentials to the Queen necessary, or perhaps proper. And indeed," I added, "it will only be during Mr. Pinckney's absence that I have to transact this business, and he is now expected back in a very few days, as he has already left Madrid." At this moment I fixed my eye specially upon his countenance, and saw clearly what I expected. "What!" said he, "*has he signed the Treaty?*" "I know not," said I, "how he has finished his business, but he has done there." It had its effect. His mortification at the news was clearly perceptible. It is indeed true that, in saying Mr. Pinckney had finished in Spain, my tone was such as I believe satisfied Hammond that the circumstance was pleasing to me. But the news was equally displeasing to him. We both view it as very important, in two points of light. The prospect of one enemy the less for America, and one more for Britain, did not escape either of us. I then added, that I was glad Mr. Pinckney was returning, and observed I thought him well disposed towards them here, and towards the peace of the two nations. He made no answer, but mentioned Mr. Deas. I said I believed him well disposed, too; that nothing I had ever heard him say indicated otherwise. He said that a few days before my arrival he (Hammond) had written to Mr. Deas, requesting to see him on business; but that he neither came, nor returned an answer. "But I imagine," said he, "that he did not receive my letter." I said that must certainly be the case, for I was sure Mr. Deas would not do any thing disrespectful to him. Such was the substance of our conversation.

But there were two other things he said that I could not but remark. He enquired how I liked my lodgings in the Adelphi, and whether I did not find them too noisy. I said no. He said I had better take lodgings in some of the private houses

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of the neighborhood. Does he wish to have facilities for keeping spies over me, greater than my present lodgings give him, or does he fear I *shall* change, and, by advising me to it, think it will deter me from changing? He likewise enquired whether I had been at Drury Lane Theatre. Told him yes; I was there last evening. He asked me whether I did not think it the handsomest play-house I had ever seen, and particularly superior to any in Paris. Told him it was certainly a very fine house. "Well," said he, "when you write to your father, you will please to give my compliments to him, and you can tell him that our Theatres now are equal to those of France." "Oh, yes," said I, "I can tell him that *in your opinion* they are much superior."

Hammond is a man of intrigue. His question, whether Mr. Pinckney had signed the Treaty in Spain, implies at least that he knew there was a Treaty to sign. His question on the subject of my having been at Drury Lane was probably suggested by some previous information he had received. Mr. Pinckney's letter to Mr. Deas, received yesterday, came by post. My letter to my mother mentioned my having been at Drury Lane. I sent it last Sunday to the New York Coffee House. Had not Hammond seen them both?

2d. While I was with Mr. Hammond yesterday, a card was delivered to him from Mr. Deas, which he showed me with an expressive smile. It proposed that Deas should (this day, I think) introduce Mr. Bayard to Hammond, and requested to know whether Lord Grenville would present him (Deas) at the Queen's drawing-room next week. I had told both Deas and Bayard that Lord Grenville had appointed me this day at eleven o'clock to see him at his office. Bayard then, at his house on Sunday, asked me to introduce him to Lord Grenville, from which, considering the request somewhat singular, I excused myself, on the true ground, that, from what Lord Grenville had said to me, I expected that he meant the visit of this day in order to present me at the Levee. This morning just after breakfast Mr. Bayard came in, and told me he was going to call on Mr. Hammond, and repeated his request that I would introduce him to Lord Grenville. I then told him explicitly

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that I would not do that without first asking that Minister's consent. He then said that Mr. Jay would have introduced him; but, upon looking into his authority from the American Government, he thought it would first be necessary that he should write over for a regular Commission and proper papers. "Now, all these," said he, "I have received." "Have you received a Commission?" said I. "No, not indeed a Commission," he answered, "but the letters from the officers of the Government." I thought a reply to this unnecessary. He then repeated what he had already said to me several times, that several causes, involving very important points, would come immediately before the Lords Commissioners of Appeals, and that he wished the Ministry here might know the sense of the American Government upon those points, and particularly that they had received the intelligence of the decision last summer in the case of the Betsey, Captain Furlong, with *disappointment and chagrin*,—the very words used, he said, in the Secretary of State's Letter to him on the subject. I told him that at his desire I would introduce the subject in conversation with Lord Grenville, if I could with any propriety; but if I did, it must be in an indirect manner, for I had no instructions whatever to warrant me in doing it, and any ministerial insinuation hinting at the interference of Government in judicial causes was an extremely delicate point. "Why," said he, "they say here that the Government does influence the Courts of Admiralty; and they pretend that it is just and politic that, in cases where *national* questions are to be determined, the Government *should* influence the decisions according to circumstances." "I know not," said I, "who says that, but in the printed report, upon the subject of their difference with the late King of Prussia, on the occasion when he seized the Silesia loan, such an influence is expressly disclaimed from the highest authority, and that dispute was of exactly the same nature with ours at present, and refers to the same sort of Courts."

It appears to me that Bayard means to throw upon my shoulders the odium in America that will arise from decisions in the Court of Appeals here, contrary to our wishes. He will perhaps succeed. But I must confine myself to the perform-

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ance of my duty, and be prepared for any thing that may result from it.

Dr. Romayne came and invited me to dine with him this day. Mr. Copley called, and I had some interesting conversation with him. But interesting matter crowds upon me with such accumulation, that I must limit my details to business relating to my mission. He, too, enquired my opinion of the Bills pending in Parliament. I told him that, situated as I was, I could only say that, if *such* a remedy be necessary, the wound must be very deep indeed.

Went to Lord Grenville's office between eleven and twelve. He was not there, nor had been there this morning. At the same instant when I arrived there, Mr. Deas and Mr. Bayard alighted, on their visit to Mr. Hammond. Their carriage immediately preceded mine at the door. We all went into his apartment together. I enquired for Lord Grenville. Was told he had not yet come in. Hammond asked if Sir William Scott was not to meet me at the office. Told him I understood from Lord Grenville that he was. Soon after, Bayard said, he rather thought Sir William Scott would not be there this day, for he knew him to be engaged on business before the Lords Commissioners. Deas and Bayard, after a short visit and no material conversation, went away. I stayed myself, waiting for Lord Grenville, until one o'clock, but had no conversation with Hammond, who was busy writing, and gave me a newspaper to read. At length somebody came in, and I withdrew, requesting Mr. Hammond, as soon as Lord Grenville should come in, to let me know whether he meant to see me this day, and, if not, at what other time. I then came home, and, between two and three, received a card from Hammond, informing me that Lord Grenville was much concerned that his appointment with me had *entirely escaped his recollection;* that he would see me, however, on Friday at twelve o'clock, with Sir W. Scott; that he had not yet *had an opportunity* of taking the King's pleasure with respect to my presenting my credentials this day, and that therefore that ceremony will be deferred until this day week.

This escape of Lord Grenville's recollection is a little odd,

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under all the circumstances. The excuse thus chosen deserves some attention. But patience! patience!

3d. Breakfasted with Dr. Edwards, and conversed with him again in great confidence. I hope it will not be betrayed. I believe it will not. I am sure he was suspicious of me. Whether his suspicions were removed or not I cannot say. Time will show. He is sensible and judicious. His fears that Morris would get hold of me are very gratuitous; but his management to guard against it shows considerable skill and knowledge of the human heart. I told him this day that Morris would never have one tittle of my confidence relative to the business on which I am now here; and that I should as soon think of asking the advice of Mr. Pitt or Lord Grenville upon what I may do, as his.

He said he was extremely glad to hear me say so, and then opened upon Morris's character without mercy. This gradual progression from the first simple innuendo to the most unlimited severity has been tolerably well conducted; and if the final object had not been gained even before he first began, I do not know but it could have been obtained by this negotiation. Edwards has given me some, and not an inconsiderable, confidence in return; such, indeed, that I could not prudently commit it to paper. It must therefore remain upon my mind only. I told him that he would oblige me by retaining on his memory, as much as would be convenient, all the conversation that passed between Morris and myself the day when he was present, which was the only time that I had ever seen him. He said he would. His great fear of Morris's influence must have a French origin.

4th. Called at Lord Grenville's office at twelve o'clock, and had a conversation with him of almost three hours' length. My letters to the Secretary of State will contain the details.

Inasmuch as the letter here referred to appears to furnish the first indication of Mr. Adams's aptitude for the collisions of diplomatic life, it seems not inappropriate to place the substance of it in this immediate connection. The persons mentioned here with whom he had to deal are too well known in history to need much explanation. Mr. Pitt, at this time prime minister,

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having discovered that Lord Chancellor Thurlow, whom he had selected as the chief support of his policy in the House of Lords, was not to be relied upon, had been compelled to look for a substitute whom he could more fully trust. It was essential that this person should be fully able to cope with the great influence which Lord Thurlow had acquired in that body. Failing to find him among the existing peers, he determined upon the transfer of the youngest of the Grenvilles, the Secretary for Foreign Affairs, then a member of the Commons, to the upper house, under the title of Lord Grenville, by which he is well known in later history. It was with this nobleman that Mr. Adams held the conversation reported in this letter. The Advocate-General here referred to, then Sir William Scott, has since gained greater fame as the eminent judge, Lord Stowell.

J. Q. Adams to the Secretary of State.

London, December 5, 1795.

Sir:—

I saw yesterday Lord Grenville at his office, and had a lengthy conversation with him upon subjects connected with the object of my mission here, and upon those concerning which your instructions had previously been executed by Mr. Deas.

I found Sir William Scott, the Advocate General, with him. The point first discussed was that concerning the cases proposed to be settled by compromise. This matter being, however, still unsettled, I shall reserve for a separate letter an account of whatever relates to it.

The Advocate General having withdrawn, the compensation to the Commissioners was mentioned, and I told his Lordship that upon further reflection I had been confirmed in the opinion that my authority from the American Government would not permit me to make any discrimination in the pay of the several members of the same commission. * * *

I then observed there was a subject concerning which I had no instructions, nor indeed any communication, from the Government of the United States, but concerning which I had reason to believe the sensations in America were so strong that

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I felt myself in duty bound to suggest them, as indeed I had been required to do by the agent of American claims, who had received the sentiments of our Government on the subject. That I understood there were several cases now pending before the Lords Commissioners of Appeals which involved in their decision certain points of national concern, upon which I should be happy to have some conversation with him, and that a decision had taken place during the course of the last summer which I believed, when made known in America, had occasioned *disappointment* and *chagrin;* that the ground upon which I had understood the condemnation had taken place, was the transient residence of one of the parties in the island of Guadaloupe; that there were indeed other incidental points, which I had been, however, informed had been given up or not insisted on upon the appeal, but that on the facts of the case as they were known to the American Government, there was no legal principle upon which they conceived that property liable to condemnation; that upon the occasion of the trial of that case, one point had arisen, upon which, if I was rightly informed, one of the Lords Commissioners had observed that some understanding between the two countries might be advisable, and that my own wish to prevent the irritation that must be occasioned by decisions so unfavorable to the interests, and so adverse to the opinions, of my country, induced me to desire every possible occasion to discuss the points upon which a difference of opinion between the two nations might subsist.

He said that he would cheerfully enter upon any such discussion; that the Government of the country never interfered in judicial proceedings to influence the decision; but that there might be agreements upon such or such principle of the law of Nations, which agreements would be considered as rules to guide the decrees.

Several of these points upon which interesting questions now depend were mentioned, but not much dwelt upon. I thought it sufficient at this time to introduce the subject, which may be a very extensive one, and which is wholly disconnected with any instructions I have hitherto received.

I then came to points upon which I had been honored with

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your orders, and said that the instructions of the American Government relative to the further matter which I should submit to his consideration, having been executed already by Mr. Deas, it was perhaps less necessary for me to enter largely upon the business than it might otherwise have been; but that as these concerns had now devolved upon me, I thought it essential to the discharge of my duty to notice what had been specially recommended to my attention. That the President of the United States had been informed of numerous captures having been made, during the course of the last summer, of American vessels laden with provisions, in consequence of an Order said to have been issued under his Majesty's authority, and I was directed to enquire into the existence of such an Order. He said that he would direct Mr. Hammond in the course of a very few days to send me a copy of that Order; that a copy of it had been sent, to be communicated to the American Government in America with suitable explanations, but that the *manner* in which Mr. Deas had thought proper to execute his instructions was such that he (Lord Grenville) chose to have no communication with him on the subject. He then added that the Treaty admitted by implication that there are cases in which provisions and other articles not generally contraband may become so, and stipulated that until the two countries should agree on this subject their respective conduct towards each other shall be regulated by the existing law of Nations; that he believed there was not a single writer upon the law of Nations who did not lay down the principle that provisions may become contraband, and that the known passage of Vattel, a modern and judicious writer, who upon the subject of National Law had taken the indulgent side, and might be considered as a *protestant* of political doctrines, expressly stated that provisions may be liable to capture with indemnity, when the distress of the enemy is such for the want of them that it becomes a mean of reducing them, or of procuring an advantageous peace; that, besides, it is equally clear, that vessels may be detained upon *suspicion* of their having on board property belonging to the enemy of the captor, by the Treaty and by the existing law of Nations. Now, the Order only directs a capture when both

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the circumstances concur; that is, when the vessels are laden with provisions and when there is any suspicion of enemy's property. It does not therefore go to the extent that it might without any violation of right.

"With respect to the Treaty," said I, "my instructions expressly command me to say that its ratification must not be construed into an admission of the legality of the Order. As to the principle stated by your Lordship as being laid down by Vattel, it could not be applicable in the present case, even if admitted, unless there were also an admission of *fact*. That is, that his Majesty's enemies *were* so distressed for want of provisions, that they were susceptible of being reduced by the capture of neutral vessels carrying provisions to them. This point I do not wish to discuss with you. As to the suspicion of having enemy's property on board, even supposing that could justify detention, it could justify nothing more, and in this case there is much more. There is taking property from its owners against their will, and giving them a supposed indemnity equally without their will."

"But," said he, "it is customary in the Courts of Admiralty, whenever articles perishable in their nature must be endangered by the detention necessary until the determination of the cause for which they were taken, to sell the articles under a decree of the Court, and pay the proceeds to the party." "Even that," said I, "differs essentially from taking a man's property, and paying him according to your own estimation. A sale is attended with competition, and, where an article is in demand, will produce a price." "I believe," said he, "it is very well understood that the payments for the provisions that have been brought in were more advantageous to the merchants than a sale would have been." I thought it unnecessary to urge this point any further. The answer to the last observation is very obvious, but it had run aside from the position of a right to detain on suspicion, or any consequence deducible from it.

As the principle of this Order (I resumed) is not admitted by the American Government, considerations of its peculiar inconvenience to the United States and their citizens form but a secondary ground of objection. Provisions are among the

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most valuable articles of our export trade. They are indeed more valuable, proportionally speaking, to us than to any other commercial nation. A restraint therefore upon the freedom of this trade by external power has a more extensive operation upon our interests than upon those of any others, and it has the appearance of being specially pointed against us. For however general the expressions in which the Order is couched may be, as comprehending all neutral nations, yet if, in the nature of things, it can operate only against one, it must be understood to have had an application only to that nation. Besides this, if my information be accurate, the same rule of indemnity has in the cases of the late captures been allowed to the neutral proprietors of all the several nations. Now, the same per centum upon a cargo coming from Hamburg might afford a very handsome profit, and coming from Philadelphia would give scarcely any at all; as in estimating the rate of *profit* on any given capital, the time during which it is employed forms an essential ingredient. A vessel from Hamburg to France might perform ten or a dozen voyages to and fro in the course of a year. From America the average would not amount to more than two. The same rule, therefore, produces very different effects upon circumstances which Nature has made so different. These observations are made not as admitting that any indemnity whatever could obtain our assent to the legality of captures, but in order to show the character of the Order itself, by the partial and unequal effects that it necessarily produces.

He said that it would be shown, by the accounts of the sums paid or to be paid by this Government for those provisions, that the American vessels brought in amounted to quite a small proportion of the whole; that the Order had in fact operated much more upon the nations up the Baltic than upon the United States, and that it was really intended that it should; that he would direct that the amount of the accounts should be shown me; and as to the rates of indemnity, he appeared in some measure to admit the reason of the observation I had made, but said that it was qualified by the circumstance of the great difference in the freights.

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The next particular of your instructions to which I adverted, was the stipulation in the second article of the Treaty, for the delivery of the posts, and the previous measures provided to be taken to effect the evacuation. I told him I was ordered to urge for the immediate performance of that engagement. He said that the orders had been made for the purpose, and *he believed they had been sent out.* "But," said he, "it cannot be surprising if, upon seeing in what manner the Treaty has been received in America, and the opposition which it has met and still meets there, we should think it necessary to be upon our guard. If, upon the meeting of Congress, a difficulty should be raised and prevail against passing the laws which may be necessary to give effect to certain Articles of the Treaty, it cannot be expected that we should be willing to perform on our side without performance on the other." I then replied that I could not undertake to say beforehand what the Congress of the United States in any instance would think proper to do. But I had not the smallest doubt, and I believed this Government had no reason to doubt, but that the United States would faithfully perform all their engagements. That with respect to the opposition advanced against the Treaty, its appearance, I had reason to believe from good authority, was more formidable than its reality; that it was the nature of opposition to any public measure in that country to be bold, open, public, industrious, and active; that it was even more so there than elsewhere, and arose from the principle of liberty, upon which the Government was founded; that, upon an occasion of such universal interest as that Treaty, opposition was very natural, and its ordinary character might derive from the importance of the subject an unusual degree of apparent energy, and it would show itself in its utmost extent, which was further magnified by a view of it at this distance. He said he could readily believe it, and that the force of the observation upon the character of opposition would be understood and acknowledged with peculiar conviction by Englishmen.

I then added, "I am thoroughly convinced that the engagements of the American Government will be punctually discharged, and I hope most sincerely that if on *either* side of the

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water there are persons really desirous to revive the causes of former differences, or to generate occasions for new ones, persons who wish to accumulate irritations, which the interest of both nations would entirely remove, and to instigate a failure on their own side as a provocation to the other, their views may be entirely frustrated." He then repeated that *he believed* the orders for the evacuation of the posts had been sent out.

After saying thus much upon the matters relating to the Treaty, I observed that there were two new aggressions, on the part of officers in his Majesty's service, which it was my duty to recall to his Lordship's recollection. A memorial on the subject had been presented by Mr. Deas, and he had sent the document by which the facts were substantiated. It remained only for me to repeat the demand of reparation for what was considered by the American Government as an outrageous violation of their territorial jurisdiction, and as being highly aggravated by an attack upon a foreign Minister entitled to all the protection which the laws of Nations could give to such a character. That the instance was indeed of such a complexion that the President had thought proper to revoke the exequatur of Mr. Moore, his Majesty's Vice Consul at Rhode Island, who appeared to have co-operated in the offence to such a degree as made it proper for the American Government to do itself justice as far as concerned him.

He said that immediately upon receiving information of the charge against Captain Home, an order had been issued by the Lords of the Admiralty to him for the purpose of hearing what he should have to say in his justification; that he could assure me no officer in his Majesty's service would ever be countenanced in such acts as the violation of a friendly nation's territorial rights, aggravated by an injury to the privileged character of a foreign Minister. He mentioned this the rather, because, although no representations on the affair had yet been received from Captain Home himself, he had reason to suppose, from other statements which he had seen, that the violation of territory would be denied by the Captain, who would maintain that the transaction took place at such a distance from the American

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coast as took it altogether out of the territorial jurisdiction of the United States. I told him that the determination of this Government, or the evidence upon which they might found it, was not a subject for my consideration. I should only remark, from a personal knowledge of the place where the event occurred, and of the points from and to which the packet was going, that the pretence that the fact happened upon the high seas out of our jurisdiction, if raised, would, in my opinion, be disproved by the simple local relation of the places.

"With respect to the case of Mr. Moore," said Lord Grenville, "that is a little different. An express stipulation of the Treaty gives each of the two Governments the right of dismissing the consuls of the other for such reasons as itself thinks proper. Whether the reason be good or bad, it is the mere exercise of a right reserved, upon which the other Government has nothing to say. So that the President, if he pleased, might dismiss a man *because he took a dislike to his face*, and we should have no right to object against it. I have, therefore, taken his Majesty's pleasure for appointing a person in the place of Mr. Moore, and it is a matter upon which no question can arise. But if, to go any further, my opinion is asked in this case, I can have no hesitation in saying that I think Mr. Moore has been *a little hastily* dealt with. That the mere circumstance of his sending a letter from Captain Home to the Governor of Rhode Island did not merit such pointed severity. For, however offensive the letter might be, he sent it at the express requisition of Captain Home, which he could not refuse, Captain Home being in his Majesty's service an officer so vastly superior in rank to himself."

"My orders were," said I, "to explain the reasons upon which this act of the President was grounded, and to observe that it was not only because Mr. Moore sent the insulting letter to the Governor of Rhode Island, but because his presence on board the Africa, at the time when the other outrage was committed, gave strong ground for suspicion that he was accessory to that. These reasons were deemed sufficient by the President. He trusts they will be so by this Government. And you may be assured that no trivial cause, nor any such reason as the

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President's *taking a dislike to a man's face*, would induce him to the removal of any one."

"No, no," said he, "I was not speaking officially, and only meant, in giving you my opinion, to put an extreme case to show my idea of the principle.

"Respecting the other case, the same orders have been issued from the Admiralty, to the Captain of the Hermione, in order to know what he can say for his justification."

"I am directed on this occasion," said I, "to urge that more pointed orders may be given, to prevent the repetition of this evil. It is a great evil, and is continually recurring. I may add that it is of a nature extremely calculated to produce irritation and resentment. It couples insult with injury in a manner which naturally makes not only the sufferers, but numbers of their fellow citizens, think it intolerable. The Government of the United States, for these reasons, wish that some equitable agreement on the subject may put an end to complaints to which they cannot be inattentive."

He said they were very willing to make such an agreement as might result from a fair and candid discussion of the subject. That he had already had, when Mr. Jay was here, much conversation with him upon it, and that it was then understood to be one of the points reserved for future consideration. The question involved in it was on both sides difficult. For instance, if a sailor belonging to one of the King's ships stationed on the American coast, should desert and run away from his ship, it could not be supposed that he thereby changed his allegiance or acquired a right to the protection of the United States as an American citizen. On the other hand, all those who, before the war, were inhabitants of America, and had continued to be so, wherever born, were doubtless to be considered as American citizens and entitled to protection. That between these two extreme points there was great variety of gradations, and it must be a delicate thing on both sides to fix the line of demarcation; that in the particular instance of the settlers, &c., within the posts to be evacuated, the Treaty had ascertained the proceedings whereby every individual might make and declare his election, and he should cheerfully attend

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to any observations that might occur to me on the view of the subject as a general question.

In the relation that is now before you, Sir, it has been endeavored to give you the substance of every thing that was said on either side, and a verbal accuracy has been preserved as far as it could be retained in memory.

The proposal for discriminating between the Commissioners in the article of compensation left me only the alternative of consenting to the highest sums or creating a further delay of four or five months. It was doubtless made with that intention, and affords a specimen of the style of negotiation which it may be expected will be pursued. That *delay*, at least as to the performance of their engagements, is a real object which this Government have in view, may be collected from various concurring circumstances. As to the evacuation of the posts, it will be observed that the intention of making that depend upon what shall be done by Congress at their meeting respecting the Treaty was clearly avowed, and although a *belief* was professed that the orders were already sent out, yet it is evident from the whole that was said on that head, taken together, either that no such orders have been sent, or that they are made conditional, to be executed or not according to circumstances. This *belief* of the principal Secretary of State, upon such a point as the present, is itself a ground of suspicion that his *creed* is not in this respect entirely conformable to his knowledge. Mr. Deas was at first expressly told that the orders were sent out. I was told the same thing by Mr. Hammond the first time of my seeing him here; and now, my Lord Grenville only *believes* them gone.

The *attempt* at argument in support of the Order for taking vessels laden with provisions will be appreciated by the President at its proper value. It was such as made it unnecessary to contest the principles: a mere denial of their application sufficed. The indifference and readiness with which such reasons are advanced may serve to show the degree of stress which is laid upon the *reason* of their conduct, and what proportion it bears to their conviction that it must in truth rest upon their *sense of power*.

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This Order has been revoked, and will not be revived so long as the costs of their captures will evidently amount higher than their value to the captors. This circumstance supplied the principal or only motive for its removal; and when it shall no longer exist, the expectation that any consideration of justice, humanity, or neutral rights will prevent its revival for so much as an hour, would be as little warranted by present probability as by past experience.

In the case of Captain Home's violence and outrage, it seems that a pretence for bearing him out is assumed already, before any species of defence has been received from himself; and as to that of Mr. Moore, the words underscored in the above relation were expressly used. The disposition of mind which they discover shall remain without comment from me, and I shall only permit myself to add, that by repeating distinctly some of those words, it was meant to show that they had not passed unnoticed, and that by saying no further, sensations were suppressed which, if indulged, would have retorted scorn for scorn.

That Mr. Moore had thought himself *bound in duty* to send to the Governor of Rhode Island copy of a letter he had received, insolent and insulting to the Governor, *because the writer of the letter had requested him so to do*, had indeed been advanced by Mr. Moore himself; but the reason assigned by Lord Grenville, as proving that such *was* his duty, belongs entirely to him. It is that Captain Home was superior in rank to the Vice Consul: a reason to justify vicarious insolence, which, however consonant to the practice of this country, will be considered as more than disputable in the United States.

In this conversation it will perhaps appear that the objection against Mr. Deas for the manner in which he has expressed the sentiments of the American Government did not come with much weight from a person using such language on his side. Mr. Deas is doubtless equal to his own justification, and if the language of his memorial was warm, it was such as the occasion naturally suggested.

With respect to the pressing of seamen, it will be observed in the newspapers that notice issued yesterday from the Admi-

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ralty office, that directions have been given not to press any more men regularly protected. Whether these directions will meet with proper execution, time alone will unfold.

I am in hopes of Mr. Pinckney's return within a few days; by Christmas at latest. I expect it with anxiety, being ardently desirous to resign into his hands a task to which I must take the liberty of observing that I am altogether inadequate; and a trust the extensive importance of which could not be fully perceived at the time when my orders to repair hither were transmitted.

From the foregoing account an opinion may be formed how far the relative situation of the United States and this country is still critical; and it would not become me to suggest what measures the interests and the security of the former may render advisable. That the disposition here is candid, harmonious, or sincere may be believed, if the amplest professions are to be admitted for substantial proof.

5th. Attended, by invitation, the dinner given by the merchants trading to North America to Mr. Hammond. They call it a superb entertainment, as indeed it was. But many circumstances attending it were far from being pleasant, and the sort of applause bestowed upon every sentiment like Britain's maritime control was far from discovering a spirit of conciliation.

8th. Received this morning a card from Lord Grenville, informing me that I am to have to-morrow, after the Levee, the audience I *solicited* of the King. This card was addressed to me as Minister Plenipotentiary from the United States of America. This circumstance struck me as singular, considering that I have no sort of pretension to that character. Dined with Mr. Hammond, and mentioned to him the mistake, presuming he would take proper notice of it.

9th. Received this morning from Mr. Cottrell, Assistant Master of the Ceremonies, a card addressed again to me as Minister Plenipotentiary, &c., and informing me he would come to me at one o'clock, to conduct me to the Levee, and expressing his regret that he had not heard before of my arrival.

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This looked so much like a formal design of construing me into a Minister Plenipotentiary that I thought it necessary to guard against it, and immediately wrote a card to Lord Grenville, informing him that I have not the character of Minister Plenipotentiary, that my Letter to the King styles me Minister Resident of the United States at the Hague, and that if *this circumstance* precludes me, by the forms and usages of this Court, from an audience to deliver the Letter, I wish to be notified of it, as I cannot admit that I am vested with the character of a Minister Plenipotentiary. Received an answer saying that a credential as Minister Resident entitled me to deliver my credentials; and although this note was not explicit, I conceived the fair warning I had given as sufficient to prevent any future improper conclusions; and when Mr. Cottrell came, accompanied him to the Levee. He again expressed his regret that he had not before heard of my arrival. I told him I should have notified it to him but for the informal character in which I was placed here. He had all the forms of courtly civility about him, of course. At the Levee he introduced me to the Duke of Portland, to Mr. Dundas, to the Marquis of Salisbury, the Earl of Mansfield, whom he called Lord Stormont, to the Minister of the Elector Palatine, &c.

After the Levee was over I was introduced into the private closet of the King by Lord Grenville, and, presenting my credential Letter, said, "Sir, to testify to your Majesty the sincerity of the United States of America in their negotiations, their President has directed me to take the necessary measures connected with the Ratifications of the Treaty of Amity, Commerce, and Navigation concluded between your Majesty and the United States. He has authorized me to deliver to your Majesty this Letter, and I ask your Majesty's permission to add, on their part, the assurance of the sincerity of their intentions." He then said, "To give you my answer, Sir, I am very happy to have the assurances of their sincerity, for without that, you know, there would be no such thing as dealings among men." He afterwards asked to which of the States I belonged, and on my answering, Massachusetts, he turned to Lord Grenville and said, "All the Adamses belong to Massa-

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chusetts?" To which Lord Grenville answered, they did. He enquired whether my father was now Governor of Massachusetts. I answered, "No, Sir; he is Vice President of the United States." "Ay," said he, "and he cannot hold both offices at the same time?" "No, Sir." He asked where my father is now. "At Philadelphia, Sir, I presume, the Congress being now in session." "When do they meet?" "The first week in December, Sir." "And where did you come from last?" "From Holland, Sir." "You have been employed there?" "Yes, Sir, about a year." "Have you been employed before, and anywhere else?" "No, Sir."

I then withdrew. Mr. Cottrell invited me to go and witness the ceremony of an address presented by the Bishop and Clergy of London, which was received upon the throne. The Bishop read his address, to which a *very gracious* answer was returned, and they all kissed his hand, kneeling to obtain *that honor.* As I was coming from the Palace, with Mr. Cottrell, he called for the American Minister's servants, and said that he had spoken to Lord Grenville, who said that, in the Gazette which would mention my audience, I might be styled Minister Resident, but without saying whether it was to be added, to this Government, or not. Determined to see Hammond on this matter. Resolved on the same account not to go to the House of Commons this evening to hear the debates. Hammond has intimated to me that I should have a place under the galleries, as one of the foreign Ministers; and as they seem to make a point of it, I am determined to assume no privilege that shall imply any thing like an assent on my part to the principle.

10th. Writing all the morning. Dined at Mr. Bayard's with considerable company. I told Mr. Deas the circumstance of the manner in which Lord Grenville and Hammond had spoken of him to me. I thought it my duty to do so, especially as I had related to the Secretary of State what Lord Grenville said. Deas was of course very angry with them, but thanked me for my information. I know not whether Deas treats me exactly right, or means me well, but he shall have no cause to complain of my treatment to him.

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11th. Mr. Deas breakfasted with me. He said that what I had told him yesterday made him think it necessary for him to notice a circumstance that had occurred to him the day before, when he had been to hear the debates in the House of Commons. On his first attempting to go in under the gallery, as usual, the Serjeant-at-arms told him he did not know whether he should let him in, as he had received a note from the Secretary of State's office, informing him that another Minister from America had arrived; that, however, after some further explanations, he admitted him; that on going into the House he found Hammond there, and suspected him of having given the hint to the Serjeant-at-arms. He had now determined to take notice of the thing, and meant to write to Lord Grenville on the subject.

It looks so much like a plan to force upon me the character of a Minister at this Court that it gives me a real alarm. Went, as I had determined, to see Mr. Hammond; told him it was necessary there should be no misunderstanding between us on this article; that I have not the character of a Minister to this Court, and could not have. I had only the orders and instructions of the American Government to execute upon certain points. To enable me to obviate a scruple of form, a credential Letter to the King had been sent me, special in its nature, and designating me under my real character. "If this be not sufficient," said I, "let us stop here,—no harm is done. But the thing with us is *Constitutional;* and were I to assume the character of a Minister at this Court, and act under it, I should not only be impeachable for it, but it would be deceiving you not to tell you that the United States would be bound by none of my acts." Hammond had just received Deas's letter to Lord Grenville on the affair that had happened to him in the House of Commons. It had put him quite in a rage. "I know what made you come here," said he; "one William Allen Deas." "No, indeed," said I, "you are mistaken. That is by no means the occasion of my coming." "Well," said he, "this matter shall be arranged, so that you may be sure no blame shall fall on you or the American Government." "That is not the thing," said I. "My only wish is that neither the American

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Government nor I should be misunderstood. If there be a difference of opinion which must prevent me from acting in this case, let us wait. Mr. Pinckney will be here in a few days, and it will be better to stay for his arrival than make a question between the two Governments." Hammond first asked me to state my ideas in writing; then abandoned that proposal, and asked me to call again at four o'clock, which I did. He had got his paragraph for the Gazette, and had altered it from what he had first made it, in which it was said I had presented to his Majesty a credential Letter as Minister Resident from the United States. He tried it now in various shapes, and asked for my approbation of it, saying that the Gazette was a sort of record of these things. "Well," said I, "in that case I cannot make myself responsible for any thing you may choose to put in it. As it is under your control, you will say what you think proper. I am responsible for my conduct as it relates to my own country." He appeared anxious and embarrassed, and at length said the Letter was, to be sure, completely informal. They should have discovered that before. He at length made out his paragraph in a manner to which I saw no objection, and asked if he should mention to Lord Grenville that he had shown it to me. I told him if he pleased, but he must not understand that I meant to make myself answerable for any consequence that might be drawn from it.

17th. Went with Mr. Cottrell to the Drawing Room. Presented to the Queen as Minister Resident of the United States of America at the Hague. Asked me how long I had been in Holland, and whether I was any relation to the Mr. Adams that was here some years ago. The King asked me whether our winters were not more severe than they are here.

28th. Frazier breakfasted with me; after which we went to see the Shakespear Gallery of Paintings. I was very highly gratified during three or four hours that we spent in looking them over. There is, indeed, a mixture of good and of indifferent things, but there was only one really disgusting to me. It was a scene in the Midsummer Night's Dream. Instead of the fine frenzy of the Poet, it gave nothing but a combination of madness and idiotism; instead of the sportive excur-

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sions of a sublime imagination, nothing but the darkling errors of a sick man's dreams. Among the paintings that struck me as the works of most special excellence were, a Death of Cardinal Beaufort, by Reynolds; an Ophelia Mad, by West; a Cassandra, by Ranney; a Hubert and Arthur, by Northcote; and some others. But one of the most pleasing reflections on this occasion arises from the idea of such a combination of talents and wealth concurring to pay their tribute to the greatest genius of their country. Extreme refinement in the arts and sciences is said to be connected with extreme civilization, and therefore with corruption. I would fain believe they are not necessarily connected; for, indeed, I cannot remove from my heart an enthusiastic fondness for the former, and I have a rooted and deliberate detestation of the latter. In knowing, in understanding, in admiring the works of transcendent genius, as far as is practicable to every individual respectively, consists one part of human duty; and in indulging the feelings of gratitude towards those who have contributed to relieve us from the burdens of life there is the double pleasure that arises from the consciousness of rewarding merit with fame, and discharging our own obligations at the same time.

31st. Covent Garden. Comedy of Errors—Antipholuses, Holman and Pope; Dromios, Munden and Quick. Was pleased with the performance. Contrary to the common experience of Shakespear's Plays, this appears better on the stage than in the book. Holman is a much better actor, too, in Comedy than in Tragedy. Munden and Quick have both great comic powers. The play is acted much as it is printed. Some scenes bordering on indecency are indeed left out, and, as the play is very short, additions have been introduced to the dialogue. The characters are all preserved, even the mountebank Pinch. The effect of his figure, however, is lost, as the description of him by Antipholus is omitted. The Farce was Merry Sherwood, or Harlequin Forester, a new Operatic Pantomime, as splendid in pageantry, and as stupid in substance, as any thing I have seen. Townsend, one of the performers, while he was singing a song, as a begging impostor, had a pebble or a nut thrown at him, that hit him in the face. He addressed the audience upon

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it in a very decent manner. Said the practice had been repeated several times, and might, if it did not cease, finally reduce him to *real* beggary. He was very much applauded; for these people are by no means destitute of Playhouse sensibility.

Here closes the year,—a period when I am in the habit of indulging reflection, as it naturally brings to mind upon its frequent returns the variations of human life; and as it always makes me desirous to repair by the future the deficiencies of the past.

January 13th, 1796. Attended the Levee. Saw Mr. Morris there. Heard of Mr. Pinckney's arrival. Mr. Hammond at the Levee too. The King did not speak to me. My reception at Court this day contrasted completely with those on former occasions, when I was to be cajoled into compliance. I valued it much more highly; it flattered my pride as much as the former fawning malice humbled it.

14th. Morning papers say that I took leave of the King at the Levee yesterday, introduced by Lord Grenville, and that I am upon my return home. I suppose it is meant as a hint to me to go away. I can certainly henceforth do no good here. But I cannot well go without receiving further orders from home.

The writer did not receive permission to return to the Hague until the 26th of April, and he remained in London until the 28th of May. This delay was partly occasioned by an attraction in the family of Mr. Joshua Johnson, then Consul of the United States in London, and who had been more or less employed in Europe from the breaking out of the Revolution. The result was a betrothal between himself and Louisa Catherine, the second daughter of Mr. Johnson. He arrived at the Hague on the 5th of June, having had a trip much more favorable than that experienced the other way. The only difficulty was in the start, the account of which is retained, as a mark of the sluggish official habits of the time.

May 27th. Continuing preparations for my departure. At about four P.M. received word from the Captain that he should

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sail to-morrow morning at five o'clock; that the wind is perfectly fair, and if it continues so he will be at Gravesend by noon, ready to proceed from thence. This intelligence precipitates me so as to make several arrangements I had proposed quite impracticable. Went immediately to the Duke of Portland's office to procure an order to permit my embarkation. Was obliged to return a second time, and then informed I could not have the order till ten or eleven to-morrow morning. Very anxious lest, after all my disappointments, I should lose the opportunity of returning to Holland.

28th. Up at six, and from that time till twelve obliged to crowd the business of several days into so short a space. I had received yesterday evening two successive letters informing me that I must be at Gravesend by noon, and afterwards by ten or eleven at latest. It was impossible to go without the order to allow me to embark, which could not be procured till within five minutes before twelve. I determined, therefore, to lose not one minute of unnecessary time, and to run the risk which I could not prevent. At the Duke of Portland's office myself by ten. Nobody there. Sent Whitcomb again just before twelve, and at length procured the necessary order. Stepped, without the loss of a minute, into a post chaise, and just at four, afternoon, arrived at Gravesend, twenty-five miles from Osborne's Adelphi Hotel. The Verwagtend Fortuyn, Captain Heinke Garmers, the vessel in which I had engaged my passage, after waiting for me three or four hours, had just got under way with a fine fresh breeze. The custom-house officers and the inspector, upon observing in my passport my official character, were very civil in accommodating and facilitating my departure. I took a boat immediately to follow the vessel, and after some contrivance of the boatmen to practise an imposition to increase their fare, in which as usual they succeeded, I reached the vessel about six miles below Gravesend, between five and six o'clock.

THE HAGUE, *June* 6th.—Dined with M. d'Araujo. Bielfeld, Levsen, a Physician whose name I knew not, Mr. Manoël, a Portuguese gentleman of a singular character, and my brother, were of the company. We talked something of literature, a subject in which M. d'Araujo delights. He says the Dauphin

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editions of the Classics are contemptible. The Dictys Cretensis only is in some estimation because it is the only handsome edition of that author that has ever been published. Delille's French translation of the Georgics is the only good French poetical translation extant. The Eclogues by Gresset are very indifferent. The Italian translation of Virgil, by Hannibal Caro, is not equal to its reputation, nor equal to Dryden's. He prefers even a Portuguese translation, though in stanzas. D'Araujo writes Portuguese verses himself, and has recently translated Gray's famous Elegy and Pope's Messiah into that language. Mr. Manoël was compelled to fly from the fangs of the Inquisition for having translated Voltaire's Pucelle d'Orléans. He is now translating Silius Italicus. After dinner we compared the President Hénault's translation of the exordium of Lucretius with the original; it has merit, but very weak lines. He showed us his Ariosto, edition of Baskerville; the plates of Bartolozzi are very fine. Walk with Bielfeld. When I came home I looked over Dryden's translation of the first verses of Lucretius. Rather loosely done.

15th. Earlier rising. A morning hour devoted to studious reading. Finished my letter to the Secretary of State. Walk in the wood. Met Bielfeld and my brother. Bielfeld has a great deal of acquired understanding, but not a very brilliant natural genius. His feelings lead him to democratic sentiments, but his judgment very often corrects their propensities. Finished reading Pope's translation of the Odyssey, in pursuit of the plan which I undertook in the midst of my English idleness, and have hitherto persevered in since my return, though much less inclined to censure myself on that score at present. I have not yet become perfectly studious and busy according to my wishes, but I am gradually verging towards it; and if I did not know my weakness I should anticipate a better account of my customary day at the commencement of the ensuing month, than I have hitherto been able to give since I adopted this species of self-admonition. But wait and see. This afternoon a Mr. René Pillet called on me. Said he was formerly an Aid-de-Camp to M. de la Fayette, now a naturalized American Citizen. Was going last week from England to Hamburg

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in the British Packet, and taken by a French Frigate, sent to Flushing, plundered of his baggage, sent to Ghent and Antwerp, detained there as suspected, and at length ordered to depart within forty-eight hours. He had a bill of £200 sterling on Hamburg (a second), and finding himself short of money to proceed on his voyage, wanted to have twenty pounds sterling discounted upon his bill. He had a passport from Mr. Pinckney, and letters very recommendatory from Major Jackson and Mrs. Bingham. Sent to enquire of Messrs. Moliere whether they would discount the money. They refused; but let him have 240 florins upon my order on the bankers at Amsterdam, which he engages to repay at Hamburg. Perhaps an imprudence. But he has no appearance of being an impostor, and is in a situation which requires assistance. He is further going to labor in behalf of M. de la Fayette—a cause which I would promote by all the means in my power. Wrote by him an answer to the letter of Madame de la Fayette which Mr. Lally delivered me in the winter.

30th. *Day.* On my return from England I determined to resume a life of application to business and study, which, during the principal part of my residence there, I found altogether impossible. It has not yet settled into a course perfectly regular, but it is hitherto equal to my expectations. Rise and dress at six. Read works of *instruction* from thence till nine. Breakfast. Read the papers and translate from the Dutch till eleven or twelve. Then dress for the day. Write letters or attend to other business that occurs till between two and three. Walk till half-past three. Dine and sit till five. Read works of *amusement* till between eight and nine. Walk again about an hour. Then take a very slight supper and my segar, and retire to bed at eleven. The variations from this course are not considerable. Those that have taken place as yet are marked in the diary. I have, as before mentioned, now devoted an hour a day to the study of Italian, which Bielfeld and I are learning together. Too much of this time is devoted to reading, and too little to society. But I was not formed to shine in company, nor to be delighted with it; and I have now a considerable lapse of time to repair. While in London by far too large a portion of my

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time was spent in it. I hope and intend at a future time to take some of my present reading hours for the purpose of writing. I wish no other change.

In my morning reading I have gone through Smith's Wealth of Nations, and commenced Luzac's Richesse de la Hollande. I have never had the advantage of systematic reading in its perfection, because I was never taught a system. To form one for myself has been the subject of my frequent meditations, but I have never satisfied myself as to the detail. My studies are indeed all directed to one point, which is pointed out to me by the station that I hold. The ultimate object of all reading must be the improvement of the mind. But how to compass the greatest quantum of improvement in a given portion of time and study, is a problem that I have not yet solved, and of which I still seek the solution. My afternoon reading has been one hour of epic verse in English, which has carried me through Pope's Homer and Dryden's Æneid. I have now begun upon that of Pitt. The Mémoires Secrets et Critiques des Cours d'Italie of Gorani I read in consequence of their reputation, and because I wanted information relative to the present state of that country. They have accordingly furnished me with new materials for knowledge; but the book is superficial and dull, full of commonplace political folly and personal scandal. Such books cost only the trouble of writing them. The author thinks himself a profound legislator, while he is only a coxcomb and a pedant. The Life of Dumouriez is of quite a different description. The book is as entertaining as the principles of the author are depraved. I mean to speak of him again.

July 5th. Called this morning to see Mr. Van Leyden, the Secretary of the Committee of Foreign Affairs, to enquire of him in what manner official papers are to be addressed under the present Government. He said they might be addressed to the President of the Assembly, who, as such, is also President of the Committee, and would lay the application before the one or the other according as the subject should render it proper. Told him my object was to obtain answers to two memorials heretofore presented to the States General. Upon that respect-

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ing the Wilmington Packet, he said he had no information. As to that concerning the appointment of Consuls, he recollected that the memorial was taken ad referendum by the States of Holland. That he remembered an observation at the time was made by some of the members, that the Colonies could not be considered as a constituent part of the Republic, and the article of the Treaty did not, therefore, apply to them. But he did not know whether this would be the answer. Mentioned his having seen me yesterday in the gallery of the Assembly. Spoke of a report made some days ago by the Representative Lüblin upon the subject of separating the affairs of the Church from those of the State. The reporter is a man of literary reputation, and has translated Young's Night Thoughts into Dutch. Van Leyden is a mild, pleasant, modest man. Such men are much more comfortable to treat with, but very often not more easy, than harsher characters. Was to have taken a lesson of Italian at Bielfeld's lodgings, but he has just changed and I could not find him out. As I was going out, met Mr. Du Roure, who was coming to see me. He called on me this afternoon to enquire whether the Government of the United States had taken any official steps in behalf of Mr. de la Fayette. Told him that, not having had any communications from the Government on the subject, I could not say.

6th. Went this morning and presented a note to the President of the National Assembly (Hartogh). Met in the antechamber an old acquaintance, Mr. Van Lynden, who is now Minister from this Republic to the Court of Denmark. Accosted him, and mentioned my having formerly known him. But he did not remember me. Enquired, however, after my father. They were diplomatic brethren at London, from whence Van Lynden was dismissed after the Revolution of 1787, and has had a political resurrection since the last revolution. When I delivered my note to the President, he told me that I should have an answer as soon as possible. Was received with great and formal civility.

11th. I enter this day upon my thirtieth year. The periodical days of reflection are seldom satisfactory to me. The principal reproach my conscience can make me, for the last year, is too

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much time spent in relaxation, perhaps lost. Let me strive to make a better improvement of the next. My apology for the past must be the state of my health. Though insufficient, it is the best I have. The irresistible dissipation of London is none. The weakness of the heart is only a plea for mercy—much more might have been done by me. Of positive wrongs I feel very clear during the last year. None of its predecessors for a long time have been so innocent. Yet none of them have been more exposed to temptation. Finished reading the Memoirs of Dumouriez this afternoon, and read some pages in those of Garat. The great characteristic trait of Dumouriez is ambitious vanity. It is the common feature of almost every eminent political character which the French Revolution has produced. There appears about him great ability in the military line, a great facility at repartee and address in conversation, but miserable ignorance and folly upon the subject of government. His style is rapid, but not precise; his manner of relating attractive in the highest degree, but with a coloring to his own advantage, for which allowances are to be made. He professes a great love for his country, and a strong sense of humanity; but in both cases it is evidently the result of a sentiment, and not of a principle. He loves his country because the people at times show attachment to him; he detests proscriptions because he was proscribed; and indeed if you look through his book for a moral principle as the guide of his actions, you will find abundant proof that he had none. His first ambition is to be a monk; and, six months after, he is willing to be anything on earth but a monk. He attempts a suicide in the rage of a momentary obstacle in his love, and repents just in time to save his life. He offers to save the Genoese against Corsica, and the Corsicans against Genoa. He forms a plan to conquer Corsica by the breach of a Treaty, and quarrels with the Minister who refuses to execute this plan. He declares his aversion upon principle to duelling, in relating an attempt to force a man to fight a duel with him, which was prevented only by the base submission of his antagonist. He relates everything that happened to him at the Bastille, and adds that on coming out of it he had a formal oath administered to him never to reveal

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anything that he had witnessed there; while to show that it is not *inconsistency* with which he is chargeable, he tells us that he considered the oath as a mere formality, binding him to nothing. He affects a regard for La Fayette, for Roland, and for several others, whom at the same time he endeavors, by every part of his narration concerning them, to ruin in reputation. In short, there is scarce a page of his book but proves a deficiency of principle, and an overruling vanity, in a mind very vigorous and active.

19th. Finished reading Rowe's translation of the Pharsalia. Dr. Johnson says it is not esteemed so much as it is worth, and it will please more the better it is known. I have never read it before, and have been gratified in the perusal. I have occasionally compared it with the original, and find that the translation has added near an hundred lines at the end of the tenth book to close the action. It is not an epic poem. Nor is it a fair criticism to compare it with the Æneid. It has certainly much more originality, and the characters are much more striking than those of Virgil. The sentiment and language are sometimes turgid, and sometimes sublime. There is not much diversity of incident; but, after Homer, who can undertake to invent? Virgil generally copies, but what Lucan gives is all his own. He has more sentiment and philosophy than is usual in poems of such length; much more than Homer in the Odyssey. But his great delight seems to be the description of things terrible. The cutting down of the sacred wood; the troops in a vessel of Cæsar's party, who by consent destroy one another to avoid falling into the hands of the enemy; the scene of Cæsar embarking in the night in a small barque, and the storm that he weathers in it; the sorceress Erichtho and her incantations; the battle of Pharsalia, the death of Pompey, and the march of Cato through the Thessalian deserts, with the various venomous reptiles that infest his army, are all full of horror; but many of them are disgusting. The author appears to have wanted taste to select his incidents of description. The imagination revolts from many of them, though all are striking. The Gods are treated very cavalierly. In the very outset he charges them with taking the wrong side in opposition to Cato.

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He afterwards says they never take offence at any crimes but those of the unfortunate, and he more than once apostrophizes their injustice in suffering the crimes and success of Cæsar. The heroes are painted larger than life. The daring ambition of Cæsar, the inflexible stoicism of Cato, and the declining greatness of Pompey, are well contrasted. The Egyptian characters are not so well drawn. Photinus is too barefaced a villain. His policy might have been attributed to him without a departure from nature; but he should have been made more plausible. On the whole, my opinion not only of the translator but of the author has been raised by this perusal. The address to Nero is more extravagant, but not more fulsome, than that of Virgil to Augustus, and must have been more excusable at the time when it was doubtless written, that is, in the golden years of his reign. This is very evident from the complexion of the whole poem; for certainly Lucan would not have ventured to publish the bold sentiments of liberty that prevail in every part of it, during the tyrannical part of the monster's government. It is very probable, however, that they cost the author his life; though a mere rivalship for poetical fame is only mentioned by the historians as the cause from whence originated the conspiracy in which Lucan joined, and for which he suffered.

20th. Began to read the translation of Ovid's Metamorphoses, as published by Garth. The first book is by Dryden. He calls the palace of the Gods the *Louvre* of the sky, and tells of Phaëton's going to the *Levé* of his father Phœbus; as Rowe in one of Cato's speeches makes him tell the soldiers they are fit only to pass as *heirlooms* from Pompey to Cæsar. Such expressions remind me of Antony's present to Cleopatra of a tompion gold watch, in Swift. These Metamorphoses cannot well be included in my original plan of reading *Epic* Poets; but the variation will not be important, and may serve to afford the relaxation of variety. Began, too, this morning to read Tasso's Jerusalem in the original; but I shall make very slow progress in that.

31st. Weather very warm and feverish. It dissipates the animal spirits so as to take away the power of application. Buffon was of opinion that *genius* might be resolved into

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patience. If his idea be just, I have very little genius in warm weather; especially in the sultry warmth of the Dutch atmosphere. Began this morning upon Kerroux, Abrégé de l'Histoire de la Hollande; but read only a very few pages in it. Walk in the Voorhout in the evening. Met Bielfeld, with a German *author*, and Mr. Levsen. Walked some time with the latter. I had enquired of him whether any application had been made by the friends of M. la Fayette to the Danish Court, to request its interference to obtain his liberation. He then told me he believed not. This evening he told me he had written to the Count de Bernstorff on the subject, and could now answer me for certain that they had not. He could further add that La Fayette was now detained by the Emperor as a prisoner of the King of Prussia, and was kept under a promise made to him; that the emigrants were at the bottom, and his liberty could probably be obtained only by application from the King of Prussia, who would make it whenever the *French* Government may desire it; but that no other application would probably be successful. This short conversation of Levsen suggests many reflections to me, and will deserve further meditation.

The reading of the month has carried me through Luzac's Richesse de la Hollande, and the Traité Général de Commerce; the latter as mentioned on the day when I finished it; the Life of Dumouriez, Garat's Memoirs, and Pratt's Gleanings. Of all these books I have made mention, and some slight observations at the time of finishing, and also of Pitt's translation of the Æneid, Rowe's Lucan, which I have gone through, and Garth's Compilation of the Metamorphoses, which I have not yet finished. To improve in the Dutch Language I have usually translated a page every day; and after going thus through the Constitution of the National Assembly, which is now in session, I took the Introduction to Rendorp's Memoirs. I shall give the preference to all interesting state papers; because I send the translations to the Secretary of State, and thus answer two good purposes at once. My progress in Italian is slow, and I can only translate two or three stanzas of Tasso at a time. The language itself is enchanting, but, with no opportunity to speak or hear it spoken, my advances are very small,

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and, with my other occupations, I may perhaps grow tired of that. To keep alive my Latin, I have begun to translate a page of Tacitus every day, and am going through the life of Agricola, which in the year 1784, at this place, I translated into French. I find this author still new, and a special application to his writings will, I hope, be useful to me on several accounts. His language, his wisdom, his style, his method, all afford subject for meditation and improvement. This is not the part of my time the worst employed. My other writing is principally confined to writing and answering letters, or to this journal. The time for original composition has not yet come; I know not whether it ever will. I shall probably never have a time so favorable for it as the present. But I have no *subject*, and am far from being yet satisfied with my style.

August 2d. Lesson of Italian at Bielfeld's. Our master appears to interest himself very much in the progress of the French. There is here a man with whom he consorts; an author; who being acquainted with the geography of Lower Saxony, his native country, offers his services as a guide to the French troops now invading that territory, to conduct them where the richest plunder is to be obtained. Noël is therefore going to send him to the Army of the Rhine. Bielfeld thinks the morality of the man rather inaccurate, but says he is a *bon diable*, and that it is not avarice but fanaticism that inspires him. I believe it is the fanaticism of the followers of Catiline and Cethegus. Evening at the Dutch play—*Menschen-haat en Berouw* (Misanthropy and Repentance[1]), a translation from a German Comedy of Kotzebue. The misanthropy is that of a husband whose beloved wife has been seduced by a young man and has eloped with him. The repentance is that of his wife, for having been seduced, and her consequent elopement. It closes with a reconciliation. Bingley was very good in the husband, and Mademoiselle, bating a little too much roaring in her lamentations, excellent in Ulalia, the wife. From her performance, she should more properly have been called *Ulularia*. I cannot forgive Pratt for comparing her with Mrs. Siddons. For the

[1] This is the play translated into English under the inappropriate title of "The Stranger."

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nice delicate shades that distinguish similar passions she is altogether incompetent, and she knows little more than how to weep and wail and gnash her teeth. Her performances are therefore very monotonous. Bingley has the same fault, though not in the same degree. Yet this evening and the former they beguiled me of some tears, and received the same tribute from many others. The house was full. The play is very long. I know not how many acts it pretends to have; but the natural divisions give it six or seven.

3d. Finished the translation of Ovid's Metamorphoses. It is very unequal, being the work of many hands. In general it preserves the turn of wit and quaintness of the original. The want of proper concatenation is a defect belonging to the poem too; and the pathetic powers, for which there was so much room, were in a great measure strangers to a mind which is always toiling for a conceit. The most striking part of the work, to me, was the speeches of Ajax and Ulysses in their contest for the arms of Achilles, at the beginning of the 13th book. They are highly characteristic and dramatical. I have remarked in the course of this reading the source of a great number of Shakespear's allusions and ideas. I remember the writers of his life mention Sandys's Ovid as one of the books from whence he gathered the little learning he ever had.

5th. Read this afternoon Hoole's Life of Tasso, at the head of his translation. A romantic life, indeed. Born 1544 and died 1595. Settled by an examination à scruple that arose in my mind upon a fact mentioned by the biographers of Milton, that he was, when in Italy, acquainted with Manso, Marquis of Villa, the intimate friend of Tasso, and his patron. My doubts arose from the distance of time between the two sublime poets, and from an idea taken from one of the biographers, that Manso is celebrated in the Gerusalemme Liberata. This poem was finished and published in 1574. Milton was in Italy in about 1638. A period of sixty-eight years appeared long for the life of a man already of an age to be celebrated as a magnanimous knight. I ascertained, however, that it was really the same man, by turning to the Latin poem which Milton addressed to him. But it is in the Jerusalem Conquered that

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Tasso mentions Manso. This poem was published only three or four years before the death of the Italian bard. Walk in the evening. Met Bielfeld. Conversation. He made some observations upon the curious practice of fabricating books in Germany at this time. There is a sort of literary mania prevalent there. His literary Cethegus has told him some new anecdotes upon that subject. At the semi-annual fair at Leipzig a hundred and seventy-nine new novels made their appearance. He mentioned too the smothered flame of democracy as burning with great fury in every part of Germany, and especially in the Danish dominions.

6th. Received this morning a large packet of letters from England and America; among others, one from the Secretary of State, dated June 11, informing me that I was appointed Minister Plenipotentiary of the United States to Portugal, but directing me to remain here until I receive further orders.

9th. Bielfeld called on me towards evening. We walked to Scheveling. Enquired of him to whom the despatches of the Prussian Ministers were addressed. He says directly to the King. The rescripts are directly from him. The late King always wrote the answers himself. The present King has them brought to him ready to sign, in cypher, with the explanation on a different paper. If he thinks of any alteration, he inserts it on the explanation, but signs the cypher, which is then sent away just as it was. A curious specimen of diplomacy.

10th. Met Mr. d'Araujo and Mr. Levsen in the Voorhout. Long walk with them, particularly the former. He is a man of great information, and especially conversant in general literature. Made some enquiries with respect to Portugal. He mentioned, among many other things, that the famous Methuen Treaty of 1703 was made by a Portuguese Minister so totally ignorant of every thing relative to commerce that, about a year after, he wrote to the Minister of that Court then residing here a letter, in which he speaks to this purport: "By the way, I forgot to tell you in my preceding dispatches, that we made last year a Treaty (Trattadino) with England, in which she agrees to take our wines, and we to take her woollens. Try and see if you can make such an one with the Dutch." The Chevalier

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says that he found this letter among the archives of the legation.

The same Minister did not know that in the English Parliament there had already been debates upon the subject of admitting the wines of Portugal, upon the same terms as they are by the Treaty, without any stipulation whatever. The Treaty was agreed to by the Dutch only for the asking. M. d'Araujo has no great opinion of the commercial abilities of Lord Auckland—says that the Commercial Treaty with France, upon which his fame first originated, was the work of Mr. Crawford—that at the time when Great Britain and Russia were at the point of war, Auckland asked him one day what way the troops were to be sent to assist the Turks against the Russians.

12th. Met Mr. Levsen and M. d'Araujo this evening in the Voorhout. Walk with them. Bielfeld mentioned to me a curious taste of M. Noël, the French Minister; that of collecting manuscript copies of all sorts of lascivious tales in verse, from printed books. Our Italian instructor is almost constantly employed by him at this sort of copying; and he is very scrupulous and nice to have the handwriting neat and elegant. I remember that among the books which I brought from England for him were a number of volumes, manuscript, of this description. I now wish I had examined a little further the character of those books. I did not, however, then imagine that *he* was the man whose relish for the rankest fæces of literature was so keen. Before the revolution of France a clergyman, and Professor of Eloquence at the College of Louis le Grand in the University of Paris: since that period employed in high rank among their diplomatic negotiators—I did not suspect him of a propensity so ill sorted with his old profession, as well as with his new station. By what a strange sort of beings the affairs of the world are managed!

13th. At the French play this evening—"Othello, ou le More de Venise." A wretched travestie by Ducis from Shakespear's Othello, with most of his defects, and innumerable others, with scarce one of his beauties. It has the merit, however, of containing sarcasms upon aristocracy, and abuse upon the government of Venice. Othello was tawny, but not

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black. The performance was worse than the play. Visit this morning from the French Minister, Noël. He says the French consuls at Amsterdam and Rotterdam both write him that they have violent suspicions that some captains of American vessels engage on board of them French soldiers belonging to the Army of the North. He desired me, therefore, to request of the agents of the United States in those places to prevent any practice of that kind in future, and further wished me to authorise the French officers to *visit* the vessels, to discover whether any French soldiers were concealed in them. I told him that I had no power to authorise any person to visit or examine American vessels, and, if I should pretend to assume it, the American captains would certainly not recognise it; but that I would readily write to the consul at Amsterdam, and request him to discourage as much as possible every such practice, and to recommend the discharge of any persons who may have been thus engaged.

25th. Finished reading Hoole's translation of Tasso. The book is popular. The versification is very smooth, but it appears to be feeble. It is cold, and has been read like a task, and of course with very little attention. I have compared most of the first book with the original. The sense is diluted. The poetic charm, the soul of the verse, is in many instances lost, or rather is in very few preserved. But when Tasso is robbed of this attraction he has but little left. His invention is wretchedly poor and strangely absurd. His machinery is pitiful. But his details of sentiment, character, and language are admirable. "La Poésie," says Voltaire, "ne plaît que par les beaux détails." This is a very mean and false idea of Poetry, but it suits the delicate tenuity of a French critic, and is just calculated to place the Henriade or the Jerusalem above the Iliad, and the Zaïre above the Othello. Upon this maxim the poem of Tasso would be superior to any production of the Epic Muse till the days of Voltaire. Tasso excels very much in his female characters. His Sophronia, Clorinda, Erminia, Gildippe, and even Armida, are all extremely interesting. The Gerusalemme, therefore, is above all others the Epic Poem of the ladies. Homer's Andromache stands

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alone, and bears a very subordinate part. His Penelope, though much praised, excites little attention. All the rest are either obnoxious, or have so little agency that they are not to be mentioned. Virgil is noted for his severity to the fair sex. He seems to delight in aggravating their infirmities and insulting their misfortunes. Milton has but one female. But, alas! Hinc illæ lacrymæ. She is the instrument which

"Brought Death into the world, and all our woe."

Lucan's Cornelia, though respectable, is employed in little else besides lamentation; and Voltaire's Belle Gabrielle is not much better than his Agnes Sorel. But all that is tender, generous, and amiable, as well as brave, is united in the heroines of Tasso. Their adventures comprehend the most pleasing parts of the whole poem, and indeed there is scarce any part of it but in which some one or more of them appears. The story of Edward and Gildippe is upon the model of Nisus and Euryalus, but is much more affecting to a chaste imagination. Armida is a composition of Calypso, of Circe, and of Dido, and a great improvement upon them all. Erminia has some traits in common with Helen, but is much her superior, as is Clorinda to Camilla. Sophronia appears to be an original, and is a very pleasing one. One of the great advantages which this poem has over those of antiquity arises from the superior *manners*. There is a refinement of passion and a delicacy of sentiment which can be attributed only to the operation of the precepts of Christianity upon the human character. The loving passions of antiquity were coarse, their hatred was implacable. Achilles restored the body of Hector to Priam; but that was from a motive of generosity when he felt no resentment; at all other times he was unrelenting. The pious Æneas is equally inflexible to the compunctious visitings of Nature; but Tancred and Rinaldo are both merciful and generous to their vanquished enemies. Their love is gentle, and their anger is humane. This is one of the benefits of Christianity the most clearly evident, as the revolution of manners is indubitable, and can be traced to no other source, while it naturally flows from that. Mr. Hoole has omitted some of the *concetti*

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from which Boileau inferred that Tasso was all tinsel. There are too many of them in the original; but from such defects what modern poet is altogether exempt? I ought to have finished this book two days ago. As the weight of the task increased, I felt my disposition to slip from under it grow upon me, and I have omitted the work of two days.

31st. *Monthly day.* The first half of this month was very industrious, especially in writing. I have seldom been during the same length of time so steadily and constantly employed. My rising hour was about half-past five, and did not once exceed six. Began the day by translating a page of Tacitus, then letter-writing till half-past nine. Breakfast. Letter-writing again with Italian lesson till half-past two. Walk. Dinner. Reading till dark. Evening walk, and retired at about eleven. Pleasant as this course was to my mind, my health would not submit to it, and the last half of the month has been loose and relaxed. The dog-day temperature spreads a lifeless languor over the spirits, irresistible to me. It overcomes my *patience*, so that, upon Buffon's maxim, I have no *genius*. My rising hour has retrograded to a vibration from six to seven. It threatens to become still more indulgent to indolence. The attention to Tacitus, however, has not been intermitted. In *reviewing* the Agricola my progress is slower than it was in translating. I am not always able to write a page in the course of the morning labor before breakfast, and it now engrosses all that period. Between that and dinner I am falling into the habit of *whiling* away the time in any thing that can serve as an apology for idleness. The afternoon is not much better, and generally persists only in the *epic* perusal, in which the two last days have been recovered. The days are rapidly shortening, and the evening will soon be unfavorable for walking. It is already much less inviting to that effect, and I begin to prefer taking the necessary exercise before dark. I cannot therefore always avoid trespassing a little upon the evening for study. The morning Muse of History, and the evening Muse of Epic Song, are now my only constant attendants: all the rest are abandoned or have only an occasional moment of attention. The particular attention I am beginning to devote to Tacitus is not without

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its reason. I must be thorough master of that writer, if I have any patience.

Have therefore in the course of this month read only Bielfeld's letters; part of the Histoire de la Conspiration du Duc d'Orléans; half a volume of Kerroux's History of Holland; finished the translation of the Metamorphoses, and gone through Hoole's translation of Tasso's Jerusalem, with some books of Milton's Paradise Lost. It will be well if the reading of the next month should be even upon a level with this.

September 4th. Finished reading the Paradise Lost, the admiration of which increases in my mind upon every perusal. A criticism upon it would take too much time, and would have nothing original. I mention therefore only two observations which occur to me upon censures expressed by eminent men without justice. Pope, after noticing the quibbles of the angels and archangels (an undoubted blemish to the poem), adds that Milton makes "God the Father turn a school-divine." This is epigrammatic; but if the subject of the poem, Paradise Lost, and the object of the poet, to justify the ways of God to men, be considered, it appears to be an absolute necessity that the justice of the Divine proceedings should be established upon the assertion of free election in man. This could not be explained without metaphysical argument; without the nice distinctions which appear in the passages that the sarcasm of Pope would condemn. Dr. Johnson, among other objections to the conduct of the poem, says that the angel Raphael, in his conversation with Adam, speaks in a comparison of "timid deer," before deer could be timid. There is no such expression, or idea, as that of "timid deer" through the whole course of the poem.[1]

29th. Answer at length from the Committee of External Relations upon the subject of my former memorials. It is, take it for all in all, as curious a piece of diplomatic composition as I have met with. From its defiance of fact and contempt of

[1] "as a herd
Of goats or *timorous* flock together throng'd."—P. L., B. vi., l. 857.

This word has raised a great question among the commentators whether it does or does not include deer.

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argument, I shall be tempted to suspect it to be the composition of Noël. It behooves me now to be cool. The provocation of such a piece is so strong, that it is probably designed as such, and may be a French perfidy.

November 4th. Dined at the Baron de Schubart's. Large company. Mr. Goldberg asked me whether I could furnish him any account of the Bank of the United States and the principles of the institution. Promised to lend him the law by which it is established, and the report of Mr. Hamilton proposing it. Noël was in high spirits; said they had good news. Details of an action in which the French had taken many prisoners and five superior officers. As to Moreau's affair, it was undecided. He expected every day to hear of the surrender of Mantua. At table, however, he expressed his dissatisfaction that the Constitution which is to be reported on the tenth inst. retains the demarkations of the Provinces. Said they ought all to be dissolved into a single body. "Diable! comme vous y allez!" said Hahn. "This, however," said the other, "is only the opinion of Citoyen Noël. The Minister, you may be sure, will find every thing you choose to do excellent." He repeated this distinction between himself the citizen, and himself the Minister, five or six times, as if it was a thing very clear in his mind, but which required minute explanation to meet the intelligence of his hearers. I believe they hear enough of the *Minister's* ill humor, officially. "No," said Hahn; "if the Minister was to speak, *vous sentez bien que je me tairois.*" "True enough," somebody said, "the Minister is not here." The idea might have occurred before to Noël. They drank for a toast, "The restoration of the finances," and Noël laughed very heartily. The subject cannot in his mind be susceptible of serious discussion.

10th. This being the day fixed for the report of a Constitution to be made to the National Assembly, I attended the meeting. Found Mr. Bosset there. The credentials were read of a Minister Plenipotentiary from Spain, who arrived last evening, and this morning presented them to the President. He came soon after into the lodge, as did MM. de Schubart and Noël, Reuterswerd, and the Counsellor Scholten. Noël intro-

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duced the Spanish Minister, the Chevalier d'Anduaga. The Constitution was produced between one and two. The Chairman of the Committee made a speech on producing it, which the President answered. The substituted members took their leave in withdrawing from the deliberations of the Assembly. Lublink, in their name, made a speech. It was resolved to read the Constitution on Monday. One of the members of the Committee, Van der Kasteele, announced that he should oppose its adoption, as it was not founded on the principles of Unity and Indivisibility. A warm debate then arose upon the question whether it should be read immediately, or on Monday. The debate was at length adjourned till to-morrow morning.

21st. At the Assembly an hour. Heard the close of a speech of Vreede, and the beginning of that of Schimmelpenninck. They write beforehand all their speeches upon affairs of any importance, and read them from the tribune. The question now under consideration is whether they shall debate the Constitution lately reported, or reject it at once. There is not much eloquence among them.

December 13th. Dined by invitation at the Patriotic Society, in the house which was formerly the Prince's Cabinet and Library. There were about a hundred persons at table, generally members of the Assembly, the Corps Diplomatique, and officers of the armies, French and Batavian. The dinner was given on occasion of the Decree of Unity and Indivisibility by the National Assembly. The Citizen Buys after dinner read a speech, which appeared to be of Noël's composition. It was an address to the Batavian Citizens present, congratulating them upon the Decree of Indivisibility. There was, among other things introduced, a compliment to the foreign Ministers present, decent enough. About half a dozen toasts were drank—the Batavian and French Republics, the Powers in friendship with them, &c. Before dinner the President of the National Assembly and Mr. Van Leyden informed me that my note lately presented had been read at a meeting of the Committee of Foreign Affairs. That at the next general meeting they would probably resolve to propose to the Assembly the appointment of persons

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to confer with me upon the subject of its contents. The President's name is Van Lennep.

31st. With the commencement of the present year I began the practice of noting monthly the usual distribution of my employments and amusements through the course of the day—a practice which is not without its use for my own retrospection. The five first months of this year, spent in London, were a period of leisure accidentally given me, and too much of which I allowed to the indulgence of indolence. The seven last months, passed at the Hague, have, on the contrary, been a time of as steady and constant application as ever occurred in the course of my life. I have endeavored to contract the habit of early rising; and although, since the commencement of the winter, the severity and darkness of the season have produced some relaxation in the execution of my determination, yet I have maintained it upon the whole with less flexibility than I apprehended I should. I have in a great measure repaired to my own satisfaction the loss of my time in the dissipation of London, and have now only to hope for resolution and health to continue the same degree of industry, with some variation in my objects of pursuit. With my conduct also since my return from England I am more content than I was there, and in the course of seven months I can have nothing essential to regret. I have, indeed, happily, nothing vicious to reproach myself with during the whole year, though I remember, with the regret which I hope will tend to my improvement, many errors and some follies. At least I have not knowingly injured any human being, and I can form no more fervent prayer to Heaven than that, at the termination of every succeeding year which may be granted me, and at the end of life, my own heart may yield me a testimony as pure and as favorable as it does at this moment.

Day. Rise in the morning at about seven. Translate two pages of history from Tacitus. Breakfast at about ten. Afterwards till two, dressing, receiving or paying visits, or writing letters. Dine between three and four. After dinner read a few papers of the Rambler. Walk of three or four miles immediately before or after dinner. Evening generally in company and at cards. Seldom

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at home, and reading a few of Cicero's Letters. A profound anxiety has taken possession of my mind. The situation of two objects the nearest to my heart, my country and my father, press continually upon my reflections. They engross every thought, and almost every power, every faculty. The struggle is painful, indeed, amid such sensations, to bear a cheerful countenance to the world, to stifle every apprehension, and repress every rising sigh. A sullen glooms hangs upon futurity. May the merciful Disposer of all events avert the approaching terrors, and dispel the threatening tempest! For myself I ask only Virtue and Fortitude. Virtue, to discharge all the duties of life; and Fortitude, to bear whatever destiny awaits me. For my father and my country, my supplications to Eternal wisdom and goodness comprehend the issue and result of action, and pray for their welfare and prosperity no less than for the means that tend to procure them.

March 4th, 1797. The day upon which the new administration of the United States commences, and I am still uncertain what the elections have decided. Every thing has contributed to accumulate anxiety upon this event in my mind. Futurity laughs at our foresight. I can only pray for the happiness and prosperity of my country. Wrote a letter to my father.

April 9th. Received this morning from Mr. Williams, the Consul at Hamburg, a letter with a packet from the Secretary of State,[1] containing my recall from the mission here, and a Commission as Minister Plenipotentiary of the United States to Portugal; and also a couple of letters, one of them containing instructions for my new mission.

June 5th. Holiday. They call it Pentecost, and observe these days more generally here than I imagined, or had heretofore remarked. After dinner took a long walk with Mr. Cutting, out at the Haerlem gate, and went round the Canal beyond the walls; the outer Cingel to the Dyke in view of the Zuidersee, upon which we went some way. Returned, and passed the

[1] On Saturday, the 28th of May, 1796, President Washington had sent to the Senate a nomination of Mr. Adams as Minister to Lisbon, and it was confirmed by that body on the succeeding Monday. The long delay in sending out his commission to him was caused by circumstances rendering it expedient, in the judgment of the President, to retain him for a time at his former post.

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evening with Cutting, Mr. Vancouver, and Marshall the younger, and Lee. Mr. Vancouver's brother has made the last voyage round the world, which is soon to be published. He himself is a traveller, a man of information and understanding. Cutting told us of Mr. Jefferson's instructions to the traveller Ledyard when he intended to try the passage across from Kamschatka. He was to carry nothing with him, no instruments, no books, nothing that could possibly tempt the avidity of a savage. But he was to keep the journal of his travels by pricking it with thorns upon his skin. He had a scale of a foot marked out with Indian ink, in inches and lines, upon his arm, between the elbow and the wrist. If he met any remarkable mountain or other object, of which he wished to know the latitude, he was to cut him a stick of three feet long, and in the same spot mark the length of its shadow by the rising and setting sun, and then by the point of intersection drawn from the extremity of the two shadows, he would find the length of the shadow at noon, whence the latitude might be collected. If he came across a river, and wished to measure its width, he was to plant a stick at some station upon the bank, then, with another stick, horizontally level his eye at the opposite bank; after which, turning round his stick and preserving it at the same angle, take a sight with it at some object on the bank where he stood and measure the distance, which would, of course, give him that across the river. Cutting was in extasies while he told all this. Poor Ledyard was stopped on his travels at Tobolsk, and afterwards died at Grand Cairo, on another journey into Abyssinia. But had he pursued his north-west road, whatever benefit his success might have procured to mankind, his journal upon his skin would not, I think, have been worth much.

9th. This forenoon arrived Mr. Dandridge, Mr. Murray's Secretary, with Captain Smith, the master of the vessel in which they came. They called on me with Mr. Damen. Towards night Mr. and Mrs. Murray themselves arrived, and I immediately called upon them. I was intimately acquainted with him in the year 1784, but have not seen him since.[1] The

[1] William Vans Murray had been appointed to succeed Mr. Adams as Minister Resident at the Hague.

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lapse of thirteen years is perceptible upon his countenance. Mrs. Murray I have never before seen. They are both much fatigued, and somewhat unwell from a long and tedious passage North-about, and a journey from the Texel here. Supped with them in their apartment. The letters and newspapers, which Mr. Murray brings me, kept me up reading till two in the morning.

10th. Spent the principal part of the day in conversation with Mr. Murray upon every subject concerning which he was desirous of information. We made a large party and went to the French Comedy in the evening. Le Conciliateur, ou l'Homme aimable, a new play, by M. de Moustier, and l'Epreuve Villageoise. The performance was good.

11th. We made a party this morning, Mr. and Mrs. Murray, Mr. and Mrs. Marshall, Louis Marshall, Mr. Vancouver, Mr. Dandridge, Mr. Lee, and myself, to visit the little towns of Saardam and Broek, in North Holland. We crossed the river Y in a sail-boat, and on the other side took carriages, which carried us in two hours to Broek. This village is distinguished for its extreme cleanliness. It consists of about two hundred families, most of which are very wealthy. You would imagine the whole village covered by a single roof. The houses are all low; very neatly painted. There is a small yard or garden, encircled by a fence, before their front doors, which are all placed so high from the ground as to require three or four steps of descent. There are, however, no steps from them. The doors themselves are never opened except upon two occasions, when there is a death or marriage in the family. We saw the people coming from church; their dresses were all alike, all black and the customary habiliments of the Dutch peasants. The women had a little square plate of silver, about the size of the reflecting glass in a mariner's quadrant, fastened at each of their temples. The streets are not wide enough for the passage of any carriage drawn by horses or oxen. They are paved throughout with flat bricks, sanded and swept in angles like a floor. In the church there was nothing remarkable. In the poor-house, which we entered, we found every thing neat in proportion to the streets. From thence we went to Saardam in two hours

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and a half. There we stopped and dined. This place I have seen before. It is a large town, where the principal ship building is carried on. It would be remarkably neat to any one not coming from Broek. But that renders the judgment very fastidious. This is the place where the Czar Peter, called the Great, worked as a common ship carpenter. They show the house in which he worked. We went to the church, where we found the minister preaching to a large and decent auditory. We saw the picture of the woman thrown up by a bull, and delivered of a child in the air; an accident which is said to have happened in this place, and has thus been commemorated. After dinner we returned to Amsterdam as we came.

15th. Visited Mr. Van Leyden, and informed him of the arrival of Mr. Murray. Agreed to introduce him to Mr. Van Leyden to-morrow morning. Conversation with him upon the subject of the presents usually made to foreign Ministers when they take leave. I told him that, as I shall still hold an office of trust and profit under the United States at the time of my departure, an article of the Constitution forbids my acceptance of any present whatever from a foreign Government, and that I wish this obligation on my part may be understood in its proper sense, and not as proceeding from any disrespect to this Government. He then asked whether the consent of Congress could not be obtained. I could not say how that might be. He said that in order to avoid the unpleasant appearance of a refusal, it might be left for a future arrangement, until I could write and obtain the consent of Congress. I agreed to leave it thus, and that in case I should obtain that consent I can receive the present afterwards. Mr. Van Leyden is unwell, and going out of town. Called afterwards at General Pinckney's,[1] and went with him and his family to the Heeren Logement to see Mr. and Mrs. Murray. Walk in the evening with Mr. Murray, and out late.

16th. This morning, between nine and ten, I introduced Mr. Murray and Mr. Dandridge to Mr. Van Leyden, for whom they

[1] Charles Cotesworth Pinckney, appointed Minister to France, and then on his way to Paris. The history of that fruitless mission makes one of the most interesting portions of our diplomatic history.

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both had letters. We told him that we propose to deliver our letters of recall and credence to the President on Monday or Tuesday. He requested me in that case to write to the President, naming the day, and requesting to know the hour that would suit him, to which I agreed, and accordingly did write in the course of the day.

20th. At ten this morning I called upon Mr. Murray, and went with him to the Hall of Audience of the National Assembly, where we were received by the President, Mr. Vitringa. After introducing to him Mr. Murray I delivered my letters of recall, together with a letter to the National Assembly, taking leave of them, conformably to my instructions. Mr. Murray then delivered his credentials. The President, after the usual compliments to me upon my departure, and to Mr. Murray upon his arrival, assured us that he would lay our papers before the Assembly immediately. After a short conversation upon indifferent subjects, we withdrew.

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CHAPTER V.

MARRIAGE, AND THE MISSION TO PRUSSIA.

On the 31st of June, 1797, Mr. Adams took his leave of the Hague, where he had spent nearly four years, with the view of proceeding to Portugal, to which country he had been transferred by the direction of President Washington. His design was to proceed to London, there to fulfil the matrimonial engagement into which he had entered with Miss Johnson, and thence to pass by sea to Lisbon.

But on his arrival in England the first news that greeted him was another change of destination. The President had closed his term of office on the 4th of March, and John Adams had assumed the place as the legally elected successor. Foreseeing the possibility of hesitation on the part of the latter in retaining his son in office, Washington had taken an occasion, a few days before his retirement, to address to him the following letter, which will speak for itself:

MONDAY, 20 February, 1797.

DEAR SIR:—

I thank you for giving me the perusal of the enclosed. The sentiments do honor to the head and heart of the writer, and if my wishes would be of any avail, they should go to you in a *strong hope* that you will not withhold merited promotion from Mr. John Adams because he is your son. For without intending to compliment the father or the mother, or to censure any others, I give it as my decided opinion, that Mr. Adams is the most valuable public character we have abroad, and that there remains no doubt in my mind that he will prove himself to be the ablest of our diplomatic corps.

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If he was *now* to be brought into *that* line, or into any other public walk, I could not, upon the principle which has regulated my own conduct, disapprove of the caution which is hinted at in the letter. But he is already entered. The public more and more, as he is known, are appreciating his talents and worth, and his country would sustain a loss if these were to be checked by over delicacy on your part.

I am, ever yours,

Vice President. G°. WASHINGTON.

This letter refers to something received which gave occasion to the observations. It was doubtless a communication from J. Q. Adams relating to the matter. Although it is not possible absolutely to identify that paper, the probabilities point to a letter still preserved, bearing date the 14th of November, 1796, addressed to his mother, which, by the slow methods of transition customary in that day, is not likely to have reached her much before the date of the correspondence. If this conjecture be correct, then it was the following paragraph from that letter which elicited the remarkable reply:

"The appointment to the mission of Portugal I find from your letter was, as I had before concluded, unknown to my father. I have already written you upon the subject, and I hope, my ever dear and honored mother, that you are fully convinced from my letters which you have before this received, that upon the contingency of my father's being placed in the first magistracy, *I* shall never give him any trouble by solicitation for office of any kind. Your late letters have repeated so many times that I shall in that case have nothing to *expect*, that I am afraid you have imagined it possible that I might form expectations from such an event. I had hoped that *my mother* knew me better—that she did do me the justice to believe that I have not been so totally regardless or forgetful of the principles which education had instilled, nor so totally destitute of a *personal* sense of delicacy, as to be susceptible of a wish tending in that direction. I have indeed long known that my father is far more ambitious of my advancement, far more so-

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licitous for the extension of my fame, than I ever have been, or ever shall be, myself; but I have hitherto had the satisfaction to observe that the notice with which my country and its government have honored me, and the confidence which they have been pleased repeatedly to repose in me, have been without the smallest agency of my father, other than the recommendation which his services carried with them."

The effect of the representation made by Washington was perhaps to change the destination of Mr. Adams's mission, without altering its grade. At the same time it established a new diplomatic station at Berlin. A special duty of importance was likewise connected with it, as the memorable Treaty which had been negotiated with that country at the close of the Revolution was about to expire by its own limitation, unless specifically renewed.

It appears from the executive record of the Senate of the United States that on the 28th of May, 1796, the President sent in the following message:

GENTLEMEN OF THE SENATE:—

I nominate John Quincy Adams, at present Minister Resident of the United States at the Hague, to be their Minister Plenipotentiary at Lisbon. G°. WASHINGTON.

On the 30th of May, the Senate advised and consented to the appointment without a division.

On the 20th of May of the next year, the following message appears to have been sent in:

GENTLEMEN OF THE SENATE:—

I nominate John Quincy Adams, of Massachusetts, to be Minister Plenipotentiary from the United States to the King of Prussia. JOHN ADAMS.

The message was read.

Ordered, That it lie for consideration.

On Tuesday, the 23d of May, the record is in these words:

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The Senate proceeded to consider the message of the President of the United States of the 20th instant, and the nomination therein contained of John Quincy Adams, &c.

And after debate,

Ordered, That the further consideration thereof be postponed.

Tuesday, May 30, 1797.

The Senate resumed the consideration of the message of the President of the United States of the 20th, and the nomination therein contained, &c.

On motion, that it be

Resolved, That the President be informed that the Senate deem it unnecessary to establish a permanent Minister at the Court of Prussia, and for that reason do not approve his nomination of John Quincy Adams for that purpose.

And after debate,

Ordered, That the further consideration thereof be postponed.

Wednesday, May 31, 1797.

The Senate resumed the consideration of the message of the President of the United States and the nomination therein contained, &c.

And the motion yesterday made thereon being withdrawn,

On motion, that the nomination of John Quincy Adams for Minister Plenipotentiary at the Court of Prussia be postponed,

A motion was made to amend the motion by adding thereto the following words, until the 10th of March next;

Which passed in the negative, and

On motion, it was agreed that the motion be amended to read as follows:

Resolved, That the consideration of the nomination of John Quincy Adams for Minister Plenipotentiary at the Court of Prussia be postponed.

And on the question to agree to the motion as amended,

It was determined in the negative. Yeas 12, Nays 17.

On motion, that it be

Resolved, That there is not, in the opinion of the Senate, any present occasion that a Minister should be sent to Prussia.

On which the previous question was called for, to wit, Shall the main question be now put?

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And it passed in the negative. Yeas 11, Nays 18.

So the main question was lost. Whereupon,

Resolved, That the Senate do advise and consent to the appointment; agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

This record indicates opposition to the establishment of any mission at all, rather than to the person selected to fill it. The motive for proposing it was the fact that the well-known Treaty negotiated with Frederic the Second, by the three Commissioners entrusted in June, 1784, with general powers to treat in Europe, was expiring, and it was deemed by the administration expedient to renew it. That instrument was remarkable for the recognition of certain novel principles, which, however sound in the abstract, were, under the force of peculiar circumstances at the moment, felt to be embarrassing to the United States. Hence, perhaps, arose the indifference in the Senate to taking any step in that direction.

It so happened that another Treaty negotiated by Dr. Franklin with the government of Sweden in 1783, for a term of fifteen years, was likewise about to expire.

It was therefore for the purpose of negotiating directly with the government of Prussia, and indirectly with the authorities in Sweden, for the renewal of these Treaties, with certain modifications, that Mr. Adams was transferred from his place at Lisbon to Berlin. Although the grade was precisely the same, the responsibility attached to the duties to be performed was much the greater at the latter place.

Under these circumstances it appears somewhat singular that little notice is taken in his diary of the course of these negotiations. The instructions of Mr. Adams required him to propose essential changes in the instrument, rendered indispensable by the embarrassment caused to American commerce, and therefore to the federal administration, by the conflicts then waged upon the high seas between the great naval powers. Yet to a nation like Prussia, having little commerce afloat out of which to raise practical questions of difficulty, there seemed

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to be scarcely motive enough to retreat from the support of cherished principles solemnly incorporated by the two nations into a public compact ominous of an intention to establish them in due time as the recognized law of all navigating powers. It was, therefore, a task of some delicacy so to present the subject as to deprive it as far as possible of the appearance of ignominious retreat from doctrines believed to be sound, and therefore deserving of consistent support rather than of abandonment.

Among the principles agreed upon in the original Treaty were:

1. Exemption from the operation of embargo in the ports of each other, whether general or special.

2. Privateering on each side abolished.

3. Neutral vessels cover the property of enemies; familiarly known under the phrase, free ships, free goods.

These were the chief points which it was the desire of the American government to have expunged.

Yet in the official letter of instructions sent by the Secretary of State to Mr. Adams, it was distinctly declared that these changes were called for only by the emergency, and the hope was expressed that after the lapse of another period of ten years the original Treaty might be revived in all its parts.

It was not without reluctance that Mr. Adams proceeded to execute these instructions, particularly so far as they abandoned the principle of free ships. In several of his dispatches he expressed this as his own sentiment, and also his fear that the proposition would make a serious difficulty with the Prussian government, which had long been committed to it before the world. It was perhaps fortunate for the result that he had not been compelled to open the negotiation on his arrival, when he was an utter stranger to the Ministers. During the considerable period whilst he was awaiting the reception of credentials required by the accession of the new sovereign, he had had an opportunity to establish those personal relations with the Ministers upon which the success or failure of negotiations often in a large measure depends. Although by no means favorably inclined at the outset to the modifications desired, the

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three Ministers with whom he had to deal were gradually brought to assent to the most material of them, and thus Mr. Adams was so fortunate as to be able to report his success in extending with the desired modifications the provisions of the Treaty for another period of ten years.

In regard to the Treaty with Sweden, Mr. Adams early made overtures, through the agency of the Minister of that court at Berlin, to a similar negotiation. But it happened that M. Ascherade was soon afterwards taken ill with a disease that caused his death, and some time elapsed before the arrival of a successor. When at last the Baron d'Engestrom replaced him, and the subject was revived, it soon appeared that there was no earnestness to prosecute the work in this channel, and the Treaty was suffered to expire.

The Treaty with Prussia, too, at the end of the succeeding ten years, met with a similar fate. And singularly enough, in the process of time, those principles which were so formally declared to be theirs by the United States at the outset of their career have now been adopted by all the great powers of Europe, in a solemn joint instrument to which the only parties that refused to give in their adhesion were the United States.

It is now time to proceed to the extracts taken from the Diary, beginning with the reception by Mr. Adams in London of the news of his change of destination.

LONDON, *July* 18th.—As I was going out this morning I met Mr. King, who delivered me letters from the Secretary of State of 27th May and 1st June, and from my father of 2d June. They direct me not to proceed to Lisbon, but wait here for a commission and instructions to the Court of Berlin.

26th. At nine this morning I went, accompanied by my brother, to Mr. Johnson's, and thence to the Church of the parish of All Hallows Barking, where I was married to Louisa Catherine Johnson, the second daughter of Joshua and Catherine Johnson, by Mr. Hewlett. Mr. Johnson's family, Mr. Brooks, my brother, and Mr. J. Hall were present. We were married before eleven in the morning, and immediately after

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went out to see Tilney House, one of the splendid country seats for which this country is distinguished.

October 18th. Busied in the morning with the last preparations for departure. Sent to the Duke of Portland's office, with my passport from Mr. King, to procure an order permitting me to embark. A clerk took the passport, and required my personal attendance at the office before he could expedite the order. I went accordingly. The clerk who had my passport was gone out. The doorkeeper said he would perhaps return between two and three o'clock, and evaded my repeated enquiries what was his name. I asked him his own name. He said his name was Mr. *Then*, a German name. Finding myself thus deprived of my passport, I left W. to wait for the return of the clerk, and immediately went home and wrote to Mr. King, stating the circumstances, and requesting another passport, being under the greatest apprehension of losing my passage in consequence of this detention. Hall told me I could get such an order as I wanted at the magistrate's office in Bow Street. Went with him there; but no order could be had till seven o'clock in the evening, for which I could not stay. At about half-past three, my brother returned from Mr. King's with the second passport, and about the same time W. came from the Duke's office with the other, but without the order. I wrote again to Mr. King, desiring, if possible, that the order might be sent down after me to Gravesend to-night, and just before four we stepped into the post chaise. Between seven and eight we arrived there. The ship had been gone about two hours before. She was, however, to anchor for the night at the Hope, about ten miles below. I was reduced to the alternative of losing my passage or of going down to the ship in an open rowing boat. Upon application to Mr. Mazzinghi, he without hesitation gave me the permission to embark, though I had not the order, which in the case of neutral countries, he told me, was expedited not at the Duke of Portland's office, but by a magistrate. We went into the boat just at eight. The evening was remarkably fine, and at about ten we reached the ship.

23d. This morning upon rising I found we had a pilot on

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board, and were in sight of land. It was the island of Neuwerk, at the mouth of the river Elbe.

26th. At noon this morning we anchored in the port of Hamburg. An officer from a guard house on our passage took our names, and enquired whether we were emigrants. From the landing place we came to the King of England Hotel.

28th. Visit from my old friend Mr. Peyron, the Swedish Minister. He says the King of Prussia can live but a few days longer, if he be not already dead.

29th. Between twelve and one, rode out to Mr. Parish's in the country, on the banks of the Elbe, about five miles distant from the town. Dined there. Mr. Parish showed me his correspondence with the Imperial Minister and the Baron de Thugut relative to the liberation of the prisoners[1] at Olmütz. They are now gone into Holstein. We were obliged to come away just after four, as at sunset the gates of the city are shut for the night; a practice founded upon the vicinity of Altona and the other jurisdictions which surround Hamburg. It is said to have also a fiscal view, as the principal resources of the place are from an excise. Evening at home, reading Miss Wollstonecraft's Letters from Sweden and Norway. There is some imagination and some reflection; but a canting, whining, sickly style of complaint, and almost as many errors as ideas.

November 2d. 'Tis a fast day in Hamburg. The gates of the city opened at seven o'clock in the morning, were shut again at nine, during the time of divine service. In the interval we were to go out. We took leave of Mr. Williams and Mr. Calhoun, and started from the hotel at about a quarter before nine. The first stage of three German miles to Eschebourg we passed in a little more than three hours. But the second of four miles to Boizenbourg took us between seven and eight. Mr. Parish told us we must count upon being two hours to every German mile. The whole road this day seems to be one bank of sand. It is difficult to perceive how even the small villages on the road subsist, and the town of Lauenbourg, within a German mile of Boizenbourg, is large. We passed by the side of it, but not through it. The

[1] The Marquis de la Fayette, in whose liberation Mr. Adams was directed to take interest, and to which he proved useful.

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post chaise in which Mr. Ross and Mr. Williams, with my brother, came, broke down near Lauenbourg, and will detain us a little to-morrow. Our hook too at the end of the pole was broken.

3d. We slept, in the German fashion, between two feather beds—uncomfortably. I like not the custom. It was about nine when we took our departure. Rained hard great part of the night, and this morning. The roads, therefore, very bad. We proceeded only one stage of three and a half miles, to Lübthen. We did propose going another, but it was too late. Four o'clock when we reached Lübthen. We stopped for the night. The house very tolerable. The people obliging and accommodating. Music and reading; we find marks of them in almost every house. Here was a very indifferent forte-piano, and much music for it from German Operas, and several books—of devotion chiefly—a Bible, a catechism, a volume divided into numbers like the Spectator, called *Der Greis* (the old man), relating to moral and religious subjects, with interspersed poetry.

4th. We proposed leaving Lübthen very early this morning, but could not get away sooner than half-past six. We came again but one stage this day of four and a quarter miles to Leuzen, where we arrived at four in the afternoon, and found a good inn. This is the first Prussian town. The territory hitherto has been that of Mecklenburg-Schwerin.

5th. We set out this morning at half-past five, and finding sand rather more shallow, horses rather stouter, and drivers rather better than the two days before, came this day three stages—to Perleberg, three miles; to Kletzke, two; and to Kyritz, three. We had in the evening a fine moon, and reached Kyritz before ten at night. But we found a very indifferent house and poor beds. Perleberg is the only considerable town. We went into a church which appeared to be of the Catholic persuasion. Saw a baptism. Heard a trumpet from the tower of the church. A common usage, to employ such persons for the amusement of the public. It belongs to their musical propensities, as does the French horn swung round the shoulder of every postillion. Most of them can blow them only by way of braying or jarring. Their tones are most unmusical; but all

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must have, and all must blow, the horn. There is a colossal pedestrian stone statue of a warrior in complete armor, and an old rusty iron sabre in his hand, standing before the church door, but with no legible inscription excepting the year of its date, 1546. At Kletzke, a miserable village, where we could find scarce anything. We saw, however, at the post house, a small library, a forte-piano, and music. We lodged at separate houses at Kyritz.

6th. We started this morning at six, and came in the day two stages, of four miles each, to Fehrbellin and to Büzow; the last before coming to the place of our destination. Fehrbellin is a small town. At Büzow, where we arrived at eight in the evening, the only inn had only one vacant apartment. The gentlemen therefore took their lodgings for the night in the common bar room. Our road continues rather better, but has become woody. The principal part of our last stage was through a pine forest; and the trees are so near the road as by their branches to incommode our carriage glasses.

7th. Left Büzow between nine and ten this morning. No hurry for a single stage of three miles to Berlin, chiefly through pines and sands—arrived just after one. Questioned at the gates by a dapper lieutenant, who did not know, until one of his private soldiers explained to him, who the United States of America were. From the gates to the Custom House; from there, by special favor, to undergo Custom House inspection at our own lodgings. Went to the Ville de Paris. No room. To the Soleil d'Or, or otherwise the Hôtel de Russie, where we took our apartments. The Custom House officers took the packages Poggi sent for the Prince Royal, and said they were obliged to transmit them to him themselves. I made no objection.

8th. Delivered my letters to Messrs. Beneke and Schickler. One of the former gone to Frankfort. The latter received me rather oddly; but it may be the custom of the country. The weather is cold. I wished for some opportunity to enquire the mode of proceeding usual here, by foreign Ministers, to obtain an introduction; but, as upon former occasions, I was obliged to grope my way as I could. I had one letter for a foreign

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Minister, the Comte de Kalitcheff. But he has been gone about three weeks. There are three Ministers for Foreign Affairs. Sent this evening to the eldest, the Comte de Finkenstein, to enquire when I can see him.

9th. Answer from Count Finkenstein, appointing five o'clock this afternoon to see him. Bookseller brought me some new books, and some containing information concerning this country. At five called upon Count Finkenstein. Delivered him a copy of my credentials, and of my power to renew the Treaty with this country. He received me with great politeness, expressed the satisfaction of the King at this mark of attention from the United States, but regretted that the state of the King's health rendered it impossible for him to give audience for the delivery of my credentials. So I am to be here six or eight months without admission. For the King will probably never recover enough to give an audience, and for a new King there must be new credentials. The Count then told me of my coming from England, and last from Hamburg, of my late mission to the Hague, of my father, &c., &c., by way of civility, to show me he knew something about me. He is a very old man, having been nearly fifty years a Minister of State.

10th. At eleven this morning the Commandeur de Maisonneuve (of Malta) called on me. He has a letter from the Grand Master of the Order to the President of the United States, which he wishes to transmit, together with one from himself to the Secretary of State. Had a couple of hours of conversation with him. At one I called on the Baron d'Alvensleben, the second Minister in the department of foreign affairs. He told me the same thing with the Count Finkenstein, upon the subject of my mission, with equal civility. His manners have an apparent openness, approaching to bluntness, but far from unpleasing. This is what Mirabeau means by the *fruit du terroir*. He mentioned his having known my father and Mr. Jefferson. Said he had seen here too another American, who had passed through here once or twice—a man with a wooden leg—his name—"Morris," said I. "The same. Pray has he any mission from the United States?" "None," said I. "He had a mission in France, but was recalled." "What is he, then? For, to speak

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plainly, we have thought his conduct here improper." "I know not what his business here has been; but I saw, if I recollect, in some newspaper, that he was charged with some commission by the British Government." "Why, to be plain (again), I suppose him to be *un volontaire en politique*, dont la mission est de lui-même." I made no reply, but recollected what the French Representative Alquier said of Morris to me nearly three years ago. M. d'Alvensleben further told me that he had known my father at the Hague, where he was about nine months Prussian Minister, as he afterwards was at London. He arrived in England just at the time the King went mad, and was from November till May without being able to deliver his credentials; in the same case as mine at present. He enquired also how long it would be to receive answers to dispatches between this and America—a sufficient intimation of what he felt, no doubt, a scruple to say: that I must wait for new credentials.

At five in the afternoon I called upon the Count de Haugwitz,[1] the third Minister of the department; the office of which is at his house, and he is said to be the real efficient Minister. He repeated with regard to the mission the civilities and the regret expressed before by both his colleagues—said he was yesterday at Potsdam, and, mentioning my arrival to the King, witnessed his regret at being deprived by his extreme illness of the pleasure with which he would have received my credentials. He observed further that the present was an embarrassing and painful moment to the King's Ministers; as the public business suffered from his illness, and the hopes with which they had long flattered themselves of his recovery had been altogether disappointed. He then expatiated upon the excellence of the King's personal character,[2] and said he was beloved extremely by all his subjects. I took my leave.

[1] The pacific policy of this Minister, leaning to French connections, appeared for a time favorable to the interests of Prussia, but at last it broke down completely with the battle of Jena, and from that date the influence of Count Hardenberg became predominant. Haugwitz went into retirement in 1806, and died in 1832.

[2] It was doubtless proper enough for a courtier to eulogize the character of his dying master as earnestly as possible, but in view of the unfortunate disclosures of the private life of the sovereign, made by Mirabeau in his Histoire

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16th. The King of Prussia, Frederic William II., died this morning at nine o'clock, and was succeeded by his son, third of the same name.

20th. Met M. de Maisonneuve, who mentioned some intelligence from France such as I expected. The crisis for my country cannot be avoided. I regret that my present situation allows me not to serve it as I wish, and as in others I think I ought. My duty I mean to do. The rest must be left to Providence.

23d. Called this morning upon Count Finkenstein to deliver a note for the introduction of my baggage coming by water from Hamburg, and to enquire what I am to do; since by the death of the late King, to whom I was accredited, I am now without credentials. With respect to my baggage he says there will be no difficulty; and with regard to an audience, the department of foreign affairs had already written to the King, stating the circumstances under which I am here, and proposing to him to give me an audience, as designated Minister, after which I may wait for credentials addressed to him. They had not yet received an answer; but when they do, the Court will inform me what the determination of the King is.

December 3d. A message from Count Finkenstein desiring to see me between five and six this evening. I called accordingly, when he told me that the King had determined to give me an audience as if my credential letter had been delivered to the late King; and that, if I pleased, I could send it to the department of foreign affairs; that the King had not decided upon the day for the audience; probably it would be in the course of the week; but he, the Count, would give me notice, as soon as the time should be fixed. He delivered to me at the same time a letter of notification from the present King to the President, Vice-President, and members of the Congress of the United States, informing them of his accession to the throne. The letter is in German, and he gave me a copy of it, together with

Secrète, which Mr. Adams appears to have been reading a few days before, it must have been difficult for him to maintain his gravity at this broad declaration. The public proceedings against the Countess of Lichtenau were instituted by the succeeding King almost immediately upon his accession.

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an annexed French translation. M. de Maisonneuve is to be presented as a stranger. The Count repeated to me again the story of his credentials from the late Grand Master to the late King; and of his having sent for new credentials from the present Grand Master, &c., &c., which story he has told me every time I have seen him since my arrival. He has been a Minister of State these fifty years; of course is more than eighty years old.

4th. Upon returning home, found that Count Finkenstein had sent for me to call on him again this evening at half-past six. I sent him this morning my credential letter to the late King. I went to him at the time designated. He told me the King had fixed upon to-morrow, at half-past ten in the morning, to give me an audience, and that I should do well to write to the Courts of the two Queens and the other Princes and Princesses of the royal family to enquire when they would receive me. I knew not to whom to apply. Called immediately upon M. de Maisonneuve to enquire of him; he was not at home. Called at the Danish Minister's. He had a houseful of company, and I could get no opportunity to enquire of him. Saw there the Countess Haugwitz and Count Podewils, the Grand Marshal of the King's Court. Found I must go entirely by guess and such information as I could get from the *address calender.*

5th. Sent round cards to the Courts of the Princess Louis, Prince and Princess Henry, Prince and Princess Ferdinand, the dowager Landgrave of Hesse-Cassel, Princess Radziwill, and to the Princes Henry and William, brothers of the King. At a few minutes later than half-past ten, I could not possibly go sooner, I went to the Prince Royal's palace, where the King yet resides. Found there Count Finkenstein, with the two other Ministers to be presented; Count Zinzendorff, the Saxon Minister, upon receiving his new credentials, and a Minister sent from Hanover to compliment the new King. They were both introduced before me, for which the Count formally gave me, last night, as a reason that both of them had credentials to present and I had not. The old gentleman's head is full of forms and precedences and titles, and all the trash of diplomatic ceremony. The audience of the two other Ministers was of about five minutes

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each. My turn then came. From the antechamber the Count just entered with me into the King's apartment, made his bow, and withdrew.

I then told the King of my arrival with credentials to his father, and a full power to renew the Treaty of Commerce; of the circumstances which prevented my delivering that letter, and of my persuasion that the Government of the United States, immediately upon being informed of his Majesty's accession, would send new credentials addressed to him.

He answered me that he should be very happy to maintain and renew the friendly and commercial connection with the United States; and that the commercial interests of the two countries being the same, such a connection might be mutually advantageous with regard to the renewal of the Treaty. In due time and place all proper attention should be paid to the subject. And he added some of the usual complimentary expressions of interest and regard for the United States. After which he enquired how long my father had been President, and whether Washington had entirely abandoned all connection with the administration of our affairs. I then withdrew.

Dined at Mr. Schickler's with a company of twenty-five or thirty gentlemen, not one of whom I knew. In the afternoon I went round to pay my visits by cards to the Ministers, &c. Upon returning home between five and six, found that the Queen Dowager had sent here twice, this afternoon, notice that she would give me an audience immediately. I went therefore as soon as possible.

She said she was happy to see me; hoped I should stay here some time, and si le bon Dieu le permet, she should be glad to show me any civility. Enquired whether I had been before in mission elsewhere, and upon my answering yes, in England and in Holland, she asked if I had known her daughter at the Hague—the hereditary Princess of Orange. I said I had seen her once, as I had arrived there only a few days before her departure. "Ah! yes," said she; "that was another very unfortunate thing for them; particularly at such a terrible season."

She looks like a very good woman, and has the reputation

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of being really so. The appearance of the King has a great degree of simplicity; a plain uniform and boots; his person tall and thin; his countenance grave, approaching even to severity, but often lighting up with a very pleasing smile. He speaks rather quick. Mirabeau has drawn a character of him highly advantageous in his libellous letters; but he was then only sixteen years old. There are some promising circumstances at the commencement of his reign—some that are less so.

6th. Could not go out this forenoon, from an apprehension of short notices for attendance at the Courts, like that of yesterday afternoon at the Queen Dowager's. Called, however, upon M. de Maisonneuve. Received several answers from the Princes in the course of the day. This evening, between five and six, appointed to go to the Princess Radziwill's. She is a daughter of Prince Ferdinand, and married this Polish Prince. The visit was to her, but I found the Prince there also. Was introduced by M. de Sartoris. She rose from her piano-forte to receive me. They both talked much of Kosciuszko, with great apparent regard and respect—of America, of General Washington, and asked a great number of questions relative to the United States, &c. Just as I was going there, the Baron de Rosencranz, the Danish Minister, called upon me, and sat about ten minutes or a quarter of an hour.

7th. After waiting at home all the morning, I went at about five in the afternoon, according to appointment, first to the Princess Henry's. Was introduced by a Major de Beauvré. She was a Princess of Hesse-Cassel, and is about seventy years old. She made me the common questions about America, General Washington, &c., and enquired whether there were living any descendants of Mr. Franklin. Thence I went to the Palace of the Order of Malta, where the Prince and Princess Ferdinand reside. She was a daughter of the Markgraf of Brandenburg Schwedt, a cousin of the late King. He is Grand Master of the Order of Malta within the Prussian dominions. Introduced first to the Princess by Mons. de Sydow, and afterwards to the Prince by the Baron de Geertz. She made many enquiries concerning my country, and several about my family here, &c.;

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talked a great deal about Kosciuszko, with great esteem and applause. The Prince observed that for the last twenty years my country had become a very interesting subject of observation. He, as well as all the rest, enquired much of the epidemic fever which has again been raging in Philadelphia and other parts of the United States. They have a few general ideas respecting us which they gather from the newspapers, which they all read very assiduously. The Prince has a habit of repeating twice over all his phrases, and with such rapidity that it is very difficult to distinguish when he begins anew. He is about sixty-seven, and a brother of the great Frederic.[1]

8th. At noon went by appointment and was introduced by the Baron de Münchhausen to Prince Henry.[2] He usually resides at Rheinsberg, and is now here only upon the occasion of the King's death; after the funeral solemnity he will return. His conversation discovered more knowledge of America, and a mind more turned to speculation, than any of the other Princes whom I have yet seen. He said that America was a rising, while Europe was a declining part of the world, and that in the course of two or three centuries the seat of arts and sciences and empire would be with us, and Europe would lose them all. Their progress had been westward, beginning in Asia, and it was natural that America should have her turn. But he asked whether we should have a centre of union sufficiently strong to keep us together, and to stand the trials of the inconveniences incident to republican, and especially to federative, Governments. He enquired after General Washington, of whom he spoke in terms of great respect. Mentioned Franklin, whose bust he said he kept, and made some enquiries respecting my father. He enquired also after young Marshall, who, he said, had been here, whom he had seen, and who was quite a joli garçon. He told me the circumstance upon which Marshall came here, and which related to the liberation of M. de la Fayette. This Prince is turned of seventy. His name is very well known both in Europe and America. His counte-

[1] Ferdinand, youngest brother of Frederic II., born in 1730, died in 1813.

[2] Frederic Henry Louis, brother of Frederic II., and only second to him in military reputation, born January 18, 1726, died August 3, 1802.

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nance has strong marks of the features which distinguished that of his yet greater brother. I believe that Mirabeau has done him great injustice. At half-past one, at the time fixed, went and was presented by the Comte de Wintzingerode to Madame the dowager Landgrave, who is a fine woman; a sister of the Princess Ferdinand. She wears a star of the Order of St. Catherine, instituted by the late Empress of Russia. Stayed to dinner, as I had been invited. The company consisted of the Duke of Brunswick and his second son, the Landgrave of Hesse-Cassel, Prince Augustus, youngest son of Prince Ferdinand, and each of these accompanied by a gentleman attendant. There was also the Minister of State, Struensee, the new Minister from Hanover, and the Chargé d'Affaires from the same Court, the Baron d'Ompteda, the Marquis Parella, Sardinian Minister, and his lady, the Baron de Reede, formerly Minister from Holland, and his lady, a Russian Princess Menzikoff, and one or two other Russian officers, General Riedesel, in the service of the Duke of Brunswick, and well known in the American War as having been captured with Burgoyne at Saratoga. A list of names is all that such an occasion affords. The dinner was perfectly elegant, and every thing discovered taste rather than cost. I wished to have observed something more than the countenance of the Duke of Brunswick. Baron Riedesel talked with me much about America, and enquired particularly about General Schuyler, of whose treatment to him at the time when he was taken prisoner he spoke very highly. We sat down to dinner soon after two; a late hour here, where they usually dine between one and two. About two hours at table. Home before five. Half an hour after, went as appointed, and was introduced to the hereditary Princess of Orange, at the royal palace, where she has apartments. I saw her once before, at the Hague. She looks now as if she had met with misfortune since then; as she really has. This place is but a refuge to her, and her residence is far from being so pleasant as that of the Vieille Cour.

9th. Received this morning a ticket of admission for the funeral solemnity fixed for the 11th. Waited at home the whole morning. Visit from Lord Elgin, the English Minister.

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Says he shall not attend at the ceremony on Monday, because it will be necessary to go too early in the morning—at seven or eight o'clock.

10th. The guards from Potsdam came into town this morning. The King and Court went out to meet them. Saw them pass. The finest regiment I ever saw. Evening and supper at Prince Ferdinand's. Played at reversi with a lady and two gentlemen whom I did not know. Neither the Prince nor Princess supped at table. Their son, Prince Augustus, did the honors. I knew none of the company except the gentlemen of the Princes and M. de Maisonneuve. Prince Radziwill was there part of the evening. Prince Ferdinand asked me whether there was not yet a great connection between America and England. Upon my saying there was, he replied that if it had not been for the folly and caprices of the King of England, he supposed the connection would never have been broken. I said the King of England had certainly been badly advised at that time. "And indeed," said the Prince, "he is as much so now, for continuing this war." The Princess again eulogised Kosciuszko.

11th. Rose very early, for the purpose of attending the funeral solemnity at church. Went there between seven and eight. The church was hung round with black cloth, and illuminated. The description of this pageantry is not worth making. But it may be observed that upon a pyramidal column, over which stood a bust of the deceased King, was an inscription in German, purporting that "Frederic William II., after a reign distinguished by magnanimity, clemency, and uprightness, father of his country, was, on the 16th of November, 1797, taken from the midst of his faithful people, to pass through the shades of death to the sunshine of immortality." The music, as appeared to me, was indifferent. The funeral dirge was performed as the coffin was brought into church and placed upon a sort of throne or theatre erected for it, and through which it was let down into the tomb. There was nothing in the coffin, for the *real* burial took place, without any pomp or show, within a week after the King's decease. The procession came from the palace, and reached the church at about eleven. The dirge,

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after proper lamentation and celebration of the late royal virtues, closed by a change to notes of joy and mirth, proclaiming the virtues no less conspicuous and anticipating glories no less splendid from the reign of the present monarch. It was about one before we could get away from the church. In the box or pew reserved for foreign Ministers were those of Russia (Count Panin), Denmark (M. de Rosencranz), Sardinia (Marquis Parella and his lady), Saxony (Count Zinzendorff), Mentz (Count Hatzfeld), the Hanoverian Ministers, and one other. Those of the Emperor, France, Spain, England, Portugal, Sweden, &c., were not there.

17th. This was the day fixed for the Queen to hold her first Court. I wrote in the morning to her Chamberlain, Monsr. de Schilden, requesting him to present me at the Court. Received an answer between four and five that she would give me audience at a quarter before five, immediately before the Court of Condolence. I accordingly went at the time, and found a very numerous assemblage of people at the Court. Found some difficulty to meet with M. de Schilden, who at length introduced me. The Queen's[1] conversation was altogether of lamentation at the death of the late King. Immediately after the audience, the Court was held—that is to say, the doors of the apartment were thrown open; the Queen appeared sitting, and her ladies attendant behind her; the people, assembled in promiscuous order, entered the apartment, went up in succession not very regular, and every person, after making one bow to the Queen, which she returned in her seat, withdrew through a door opposite to that of entry. The whole business was over soon after six, and I returned home for the evening.

18th. Between six and seven went to the cercle held at the Princess Henry's. It is held every Monday. The company large. The Princess talked of the weather. The hereditary Princess

[1] Louisa, daughter of the Duke of Mecklenburg-Strelitz, born March 10, 1776, married to the King December 24, 1793, experienced a season of suffering and trial not often the lot of a Queen, but which has exalted her into a heroine in the memory of the nation, and given her name a permanent place in history. The monument erected to her, surmounted by the statue of the artist Rauch, at Charlottenburg, is the most interesting object visited by strangers at Berlin. She died July 19, 1810.

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of Orange said the Court of yesterday was no convenient occasion for making acquaintances. Played reversi with the Marquise Parella, Madame, and Mr. Caillard, the French Minister, whom I had seen seventeen years ago at St. Petersburg. At nine we retired, as the usage at this Princess's Court is for the foreign Ministers *not* to stay to supper.

19th. Letter this morning from the Comte Keyserling, informing me that the Princess Louis would see me at five o'clock in the afternoon. Went accordingly at that time, and was introduced by the Countess de Brühl and the Comte de Haack. This Princess is sister to the Queen, and widow of the King's next eldest brother. He died about a year ago. She is under twenty, and has three children. She and the Queen are both handsome. She talked about America, and said she had read M. *Vaillant's*[1] travels, which were very interesting, and it made her quite sorry when she heard that he told nothing but lies. The Countess de Brühl asked me whether I did not think the ceremony on Sunday at Court extremely ridiculous.

26th. Evening at Count Zinzendorff's, the Saxon Minister. He has a similar card party every Tuesday. There were nearly a hundred persons present. Almost all played at cards, of which in two rooms there were nineteen tables. Conversation with the Marquis de Llano, a Spanish gentleman whom I met there. Whist with Madame de Wulknitz, Madame de Lützow, and the Baron de Haagen. His lady told me the Princess Henry enquired for me last evening *à cors et à cri.* I thought I might for once indulge myself, and omit going, without its being noticed. Spoke to Baron Alvensleben. These parties resemble exactly those of the French Minister Noël at the Hague. They are the same as tea and card parties almost everywhere.

January 4th, 1798. Evening and supper at Prince Ferdinand's. Madame the Landgravine there. Prince Charles of Nassau (Weilbourg). Other company not numerous. The Prince conversed with me some time on the subject of America;

[1] The Princess doubtless referred to the travels, just then published, of Francis Le Vaillant in the interior of Africa, and perhaps confounded that country with America.

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enquired where Mr. (Fitz) Morris, as he called him, meaning Gouverneur Morris, is now; said he had acted here more like an Englishman than an American, and had made a formal proposition from the British Government (from *Pitt*, was his word) to this Court to renew the war with the French Republic. Played whist with Madame de Bredow, General[1] , and a Polish Count, Unruh. At supper a Mademoiselle de Borck took the likeness of the Prince of Nassau with a pencil; showed me a book containing a number of likenesses which she has taken in the same manner, all of them extremely well done.

5th. Attended the ball this evening at the Minister Baron de Heinitz's. The King, Queen, and all the younger part of the royal family were there. The company very numerous. About twenty or twenty-five couples of dancers. The Queen danced all the time. The ball began soon after six, and was over between nine and ten, according to the custom of the country, where they universally keep very good hours.

6th. Attended the ball this evening at the Minister Baron Alvensleben's. The same company as that of last evening: the King dances only the first dances. There is little real enjoyment at such parties as these; they appear equally tedious to all the company. The associates are not well sorted. Respect on one side and condescension on the other are not the ingredients of social pleasure. There is stiffness, coldness, formality, politeness, labored affability, studied attention, and every thing except that mutual *abandon* (to use a French phrase) which constitutes the charm of conviviality.

14th. At Court this evening to a ball and supper. The forms vary from those of a common Court. All the royal connections were there. Stayed to make the bow to the Queen at supper, which M. Caillard says is necessary. Caillard, by the way, is remarkably civil to me. He is curious to find out what I am doing here. Luckily, there is nothing to discover. He took an opportunity very adroitly to enquire whether I write in cypher; and how I send my letters. Whist with Madame de Lützow, Mlle. de Haagen, and a Count Moltcke.

[1] Left blank in the original.

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M. de Maisonneuve told me that the Chevalier d'Araujo had been arrested and confined in the Temple at Paris, notwithstanding his official character.

18th. At the play in the evening—Palmira, Princess of Persia, a German translation of an Italian opera. The scenery was magnificent, the music pretty good, the performers tolerable, the house small and very badly lighted. The royal box in front of the stage was full as it could hold. The King, Queen, and all the younger part of the royal family were there. Upon the Queen's entrance the company in the boxes rose, and she bowed complaisantly all round. No sort of notice was taken of the King when he came in, and he kept altogether at the hindmost part of the box. Play over before nine.

30th. Ball this evening at General Kunheim's. There were more than five hundred persons present. The crowd excessive. It was the anniversary of the General's birthday, he being sixty-six years old, and also of fifty years' service in the army. There was a ceremony upon the occasion; a transparent picture, a burning altar, young girls to strew flowers and crown him with a garland, and a speech made to him by an officer in the name of his regiment.

May 21st. This and the two following days were destined for the grand annual reviews of the troops. I went this morning at about four o'clock. The review lasted till between ten and eleven. There were five regiments of cavalry, of twelve hundred men each, and ten regiments of infantry, of two thousand men each. The review is had upon an open plain about two English miles out of town. The troops are in admirable condition, and exhibit a very fine appearance. Upon my return found a message from Count Finkenstein to meet him at one o'clock. Went accordingly, and delivered him a copy and translation of my new credentials. He told me that they would this evening make their report to the King, in order that, if possible, I might have an audience to deliver them before the King leaves town for Prussia, which will be on Friday. He said Count Haugwitz had mentioned the circumstance this morning, having, he knew not how, received information of it, and they had determined to make their report this evening.

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22d. Out upon the field again this morning between five and six. The reviews and manœuvres were continued, but finished between nine and ten, earlier than yesterday. On my return home visited Baron Alvensleben, to mention the receipt of the new credential to him. He said the King was so overburdened with business that it might perhaps be impossible for me to have the audience to deliver them before his return from Prussia.

June 1st. Dined at the Minister Struensee's with Marshal Möllendorff, Prince Repnin, and a company of twenty persons. The conversation was much upon military subjects. There was rather a studied than a natural cordiality between the principals. They talked a great deal—Prince Repnin especially not a little, for the sake of talking. A curious discussion was started, upon the difference which there would be in the art of war if armies required no provisions. The Prince thought light horse preferable to heavy cavalry. Möllendorff did not take much part in this conversation, but drank his champagne.

19th. This morning finished Gesner's Death of Abel. It seems to be meant as a sequel to the Paradise Lost. It may be called a pretty thing, but it is unfortunate in calling Milton's poem so frequently to the mind. The descriptions of rural scenery are beautiful, for the author was more painter than poet. The sentiments good, but too uniformly consisting of tenderness and affliction; too soft and tearful. The characters of Adam and Eve closely imitated from Milton; of Cain and Abel, original and well contrasted; of their wives Mehala and Thirza, not discriminated enough. The celestials are messengers, without distinctive marks, and Anamelech, the fallen spirit who prompts the atrocious deed, a pigmy devil indeed compared with Milton's rebel angels. Besides which, he meets with no punishment for his infernal project, in which he is completely successful, and from which he issues triumphant. Evening an hour at what they call a picnic. A company meet at a public house in the Park, take tea in the open air under a sort of bower in the garden. Each guest pays eighteen gr. for his fare, though invited by a gentleman and lady, who undertake to receive the other company as host and hostess.

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A number of them take this office by turns. This evening it was Count Zinzendorff and the Countess de Castell.

July 3d. Called on Count Finkenstein, at his request, this afternoon at six o'clock. He said the King had fixed on Thursday at half-past ten in the forenoon to give me an audience for the delivery of my letters of credence, and apologized for the long though necessary delay. The audience is to be at Charlottenburg. I am to ask audiences likewise of the Queen, and afterwards of the Queen Mother, if she remains in town. I am to send a memorial to the department concerning the renewal of the Treaty, referring to the powers which I communicated last winter. The department of finance will be consulted, but all will go through that of foreign affairs. The Count said I should do well to wait until the next week, for they were at present occupied with a thousand little minutiæ relative to the ceremony on the 6th, which, though trifling and insignificant in themselves, required an indispensable attention. The homages belonged properly to the department of the fiefs held by M. de Werder; but there were numerous references to the other departments, so that they were all employed. He asked me if I had received an invitation to attend. I had, this morning. He enquired whether I had any news from home. Told him as late as 7th May, principally relating to our situation with France, which I presumed was known to him. He had seen the late publications on both sides. The accounts appeared to represent an open rupture as probable. I told him that Talleyrand's performance finished by an assurance that the Directory wished to live at peace with America; that, notwithstanding the very hostile temper apparent through all the rest of the publication, if this closing assurance was true, peace would be preserved, for it was ardently desired by the American Government. He hoped it would; for at least, if so, it would be *one war the less* (une guerre de moins). I told him that the present situation of things suggested the alterations which I should have to propose in the Treaty, as the principles practised upon by the maritime powers required some such measures. He said that as to these principles of navigation they were at present *un peu en l'air*, but every disposition would exist

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here to prove the friendship and good will of this Government towards the United States, and to make such arrangements as might be advantageous to the subjects of both nations.

5th. I went to Charlottenburg, and entered the palace as the clock struck half-past ten. Three other Ministers were appointed at the same time—the new French Minister Sieyes, the Comte de Schall, from the Elector of Bavaria, and the Commandeur de Maisonneuve, from Malta. I arrived the last of all, and was of course the last introduced. I presented to the King my letters of credence, and repeated the motives of my mission, which I had mentioned to him at my first audience last winter. At the same time I presented the compliments of my Government, of condolence upon the death of the late King, and of felicitation upon his own accession to the throne. He answered me with kindness, assured me of his sincere friendship for the United States, and said he was happy to see me now fully accredited here, and hoped I should long remain here; then made some enquiries after my family here, and enquired again concerning General Washington. Upon coming out I found Sieyes, whom I had seen at the Hague, in the month of May, 1795, of which I reminded him. He had forgotten it. I then went with M. de Maisonneuve to Madame de Voss to enquire when the Queen would see us. She said some other day, of which we should have notice. She told us about her journey, with which she appears much pleased, and of the Queen's carriage oversetting, of the charming ladies and inexpressible names they met at Warsaw, &c., &c. We found the Count Schall there. Returned immediately to town, and soon after went out to dine with Mr. Schickler, at Strahlau, about three English miles from Berlin, the other way. A large company—thirty-five persons at table, of whom I had seen scarce any before; among the rest, a Mr. and Mrs. Hodgson from Amsterdam. The situation of Strahlau, a small village on the banks of the Spree, is pleasant, and resembles in a great degree the country in Holland.

6th. Between nine and ten this morning went to the royal palace, into the hall called the White Hall, on the third story. We were early. At about ten the King went in procession with

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his Generals and Ministers to the Dom Church, and heard a sermon. At about twelve he returned, escorted as before, entered the hall, and ascended a throne prepared in it for him. His brothers, Henry and William, stood on his right hand. The Princes Ferdinand, Augustus, and Prince Radziwill on his left. Further on the right the principal generals and aides-de-camp of the King. On the left the Ministers. In front, in boxes partitioned off, the deputations from the magistrates of the several provinces. In a box at the right, all the foreign Ministers and their Secretaries. In one at the left, all the other foreigners present. In a small gallery at one corner of the hall were the Queen, the Queen Mother, and Princesses. The Minister de Reck began by a speech addressed to the deputies, which was answered by the president of the deputations, Arnim de Suckow. Then a secretary read the oath of allegiance, which was afterwards repeated word by word by all the deputies, and closed with three cheers of "Long live Frederic William III." Then one of the Ministers read the act signed by the King, declaring on his part that he will maintain all the rights and privileges of the respective states. After which the Minister Alvensleben read the list of favors granted on this occasion. The three cheers were the signal for the sounding of the trumpets and kettle-drums, and the firing of twenty-four guns without the palace. From thence the King went down one floor, entered under a canopy upon a balcony fronting the public square, where the same ceremony was repeated, and the oath taken by the deputations of the citizens. The people in and around the square in front of the palace must have amounted to fifty thousand persons. It was all over before one o'clock, when the King sat down to dinner with upwards of twelve hundred persons. As I was retiring through the White Hall, I found the Queen Mother seated with her ladies of honor. She called me to her, and said she would take leave of me there. I had sent last evening to know when I could wait upon her, with my compliments upon the renewal of my credentials. She goes out of town this evening. The day passed without any unpleasant accident. All illuminations for the evening had been forbidden.

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7th. There was a great ball given at Court this evening. I received in the morning from the Queen's chamberlain, the Baron de Schilden, notice that she would give me a private audience at six in the evening, just before the ball. Went accordingly at the time, and met in the antechamber, as at Charlottenburg, the Citizens Caillard and Sieyes, the Count Schall, and the Commandeur de Maisonneuve. We were successively introduced into the great hall, at the further extremity of which stood the Queen, with all her ladies stationed behind her. I made my compliment in a very few words, which she returned in as few. The audience of all five of us did not take more than a quarter of an hour. After it was over I went up into the ball-room, which was the same White Hall where the homage was yesterday performed. The company was very large. The Court before the ball lasted about half an hour; the dancing until about ten o'clock. Whist with Madame de Saldern, the Baron de Heinitz, and Count Lendorf. After finishing our party, had conversation with various persons—the Prince of Orange, Otto, M. Sartoris, Gallatin, Robert Fagel, &c. Soon after the Queen sat down to supper I came away. Sieyes did not appear to be pleased with his evening.

August 6th. At about five in the afternoon we started for Potsdam. Mr. Childs was with us, and in company with us three English gentlemen, Messrs. Kent, Jarratt, and Hamilton —the first a clergyman, who accompanies Jarratt upon his travels. He is the son of a wealthy Jamaica planter. Mr. Hamilton is a young man, going to pass some time at Göttingen. William Brown and my brother went on horseback. We arrived at Potsdam before nine in the evening. The distance four German, about sixteen English, miles, in two stages. The road very good—a turnpike made at great expense over the sands of the country. We lodge at the sign of the *Hermit.*

7th. Took the whole forenoon to see the various objects of curiosity in and round Potsdam. The gallery of pictures not a large collection, but containing some very good paintings of the first masters in the Flemish and Italian schools. The palace of Sans Souci, with an imitation of ruins built in the midst of a hanging wood on the side of a hill about a quarter

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of a mile distant from it. This was a favorite residence of Frederic II., and behind the palace are buried his dogs, each of them being honored with a grave-stone. There are several writing-chambers, and libraries in two of them, which he was wont to use. The books were all French, many of them translations from Greek, Latin, Italian, and English authors, but not so much as the name of a German. The Belvedere is a small building like a summer-house, near Sans Souci, commanding an extensive prospect. The new palace, a large and expensive one, built by Frederic II. just after the close of the Seven Years' War, to prove (so they say) that his resources were not exhausted. The Marble Palace, so called because partly constructed of that material, was built by the late King, and is not yet completed. It is internally the most convenient, and most in a modern style; rather elegant than superb. The late King died there, and in one of his apartments we found still a bust of the Countess of Lichtenau. We saw near it the house in which she was for some months confined after his death. In the garden we saw a couple of buildings externally like a peasant's hut, and a rough grotto with handsome and well-furnished apartments within. In the palace were a number of antique statues, purchased in Italy, by order of the late King, in the year 1791. It was near four o'clock when we returned, quite fatigued, to our inn.

8th. Saw the guards performing their usual exercises in the palace garden at eleven this morning. Went upon the steeple of the garrison church, from which there is an extensive and very beautiful prospect. But we could not see the monuments of Frederic William I. and Frederic II., who are buried there under the pulpit. We went over the Orphan House. The dining-hall and bedrooms are quite decent. There are about four hundred boys, and not quite so many girls, here, from six to fourteen years of age, after which they are put out as apprentices to trades. We were detained here some time by a severe thunder-shower. It prevented us also from returning this evening, as we had intended, to Berlin. In the afternoon we went to see the manufacture of small arms, belonging to Schickler; but the barrels are made at Spandau. We saw them

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only bore a touch-hole and make a breech-pin. We finished the day by going over the palace in the town, which contains scarcely anything of remark—nothing, indeed, but another of Frederic II.'s libraries, consisting entirely of French books. We opened a volume of his own works, and fell upon a poem in which he says,—

"Et les charmans accords d'Horace
M'ont fait Poëte malgré moi."

But from the appearance of all his libraries, it must have been the charming translation of Sanadon that inspired him, for in all his collections there was not an original Horace or any other classical author to be found. We observed here, too, a picture of Dido and Æneas that was tolerable. The figure of Cupid, in the shape of Ascanius in the lady's lap, was good.

October 21st. Evening and supper at Madame d'Engestrom's. About twenty-five persons,—a small company here,—among the rest the Archbishop of Gnesen, who delights in telling anecdotes of Frederic II. Told us, among the rest, of his ordering a statuary to furnish him with a *Theseus abandoned by Ariadne*. The sculptor told him it must be Ariadne abandoned by Theseus. "No objections, if you please," said the King, "but do the business as you are ordered."

December 7th. Called upon Prince Augustus this afternoon, and found him at home. He is well informed upon the current topics of the time, and discovers much moderation in his sentiments. Afterwards went to see Count Haugwitz, by appointment. He told me he had a double regret in having been obliged to delay so long an answer to my application for permission to export arms; and at last the answer is not such as he could wish. The permission cannot be granted, because the King's own troops will want all that the manufacture can produce for a year to come. I had likewise considerable conversation with him upon the ministerial answer to my last note. He agreed to everything. It is his universal practice always to say yes. But I have learned by constant experience that there is not the smallest dependence to be placed upon what he says. I never have relied upon him, for he has, as Mira-

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beau says of the Duke of Brunswick, une grande réputation de fausseté, and never was reputation more merited. He concurred this time so decisively in every objection I made, that I much question whether his next official answer will yield in any one point. I shall soon try. He appeared very much irritated against the French Government, and spoke in particular about their late decree to treat as pirates all neutral subjects in the English or Russian naval service who may fall into their hands, with a bitterness which in another man would have been an evidence of sincerity. I believe he is in truth dissatisfied with France just at this moment. But she can whistle him back when she pleases. Evening at a ball at the Minister Heinitz's. The King, Queen, and royal family all there. No supper. Party over at about ten.

10th. Dined at Dr. Brown's with Prince Augustus[1] and the English company now here. The Prince said if he ever had any money of his own he would settle for life at Naples, where he enjoys better health than elsewhere. He has a Dr. Domeyer with him, from the University of Göttingen, in whom he places great confidence. He made many enquiries concerning the yellow fever, and said he was not satisfied with any of the publications upon the subject that came from America—not even with that of Dr. Rush, who had shown distinguished talents in other works, but who on this occasion had not reasoned at all with a philosophic mind. He appeared fully convinced that if *he* were in America there would be no such thing as yellow fever, or that all its malignity would vanish before his medical skill. At dinner he took Lord Talbot to task for drinking heating, inflammatory wines, which he told him would shorten his life, &c. We had music after dinner.

24th. At half-past five called again upon Count Haugwitz, who returned me my note and desired me to present it. He said that it must again be referred to the commercial department; but he believed there would be no difficulty in coming to an arrangement, and, for his own part, he was personally altogether of my opinion upon the points mentioned in the note. He afterwards told me the Government had received

[1] Afterwards better known as the Duke of Sussex.

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this day a communication that the French had made themselves masters of Turin, seized the King and sent him to Sardinia, and established a provisional government in Piedmont. The Count talked with too much bitterness upon this business. "Infamous conduct, unexampled perfidy, senseless policy," and many other epithets equally harsh, he applied without scruple or measure to the French Government on this occasion. I have no doubt he is very angry, and will be glad to see Austria go to war for it. But then he will come back to the favorite system of neutrality.

31st. *Day.* The forenoon, the same as the months past. The only difference of the evening is, that now we have scarcely one, from one end of the month to the other, without some engagement in company. This kind of life, so contrary to that which my inclination would dictate, is unavoidable. The year has not in any respect been a profitable one to me. The only acquisition of any value that it has afforded is that of reading German very indifferently.

January 14th, 1799. The first opera was performed (Atalanta). There are two to be acted, each of them four times, during the Carnival. The performances are to be on Mondays and Fridays, and are all entirely at the King's expense. There are boxes appropriated to various persons of distinction—one for the Cabinet and foreign Ministers. But the Queen holds a sort of Court in her own box, at which the foreign Ministers make their appearance in the course of the evening. The strangers who have been presented at Court are likewise in the Queen's box, which fronts the stage, and is very large. The music was very good. The scenery beautiful, but with only two changes. The dancing not remarkable. The house very handsome, but poorly lighted. No applause is permitted. The performance began at about half-past five, and finished a little before nine.

February 13th. The Carnival closed this evening with a Redoute, in which a splendid quadrille was performed by the Queen, the English Prince Augustus, and most of the persons of both sexes belonging to the Court. The idea was to represent the nuptials of Philip II. of Spain with Mary, Queen of England. The Queen took the part of Mary, and

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Prince Augustus that of Philip. The dresses were all in the highest style of magnificence, and partly conformable to the usual dresses of that time—English, Spanish, Flemish, Scots, and Mexicans. But the ladies could not adopt the dress of that period so far as to cover their bosoms. The Queen first entered on one side of the house, with her suite, and, after walking round the pit, took her stand. Philip and his attendants then came in from the other side, and, after a like procession, took his stand opposite to the Queen. The quadrille was then danced by the whole company, after which the two parties joined in a procession, walked round the hall, and came into the royal box. The whole was over in half an hour, and began a little before eleven o'clock. We had been waiting for it from half-past eight. The place was then opened to the usual masks and dominoes of a Redoute. We came home at about one.

May 1st. Received from the Cabinet Ministry their new project for a Treaty. Busy with it most of the afternoon.

2d. Busily employed all day in making out a copy of the proposed Treaty.

3d. Finished my copy of the Treaty.

6th. Called at half-past twelve upon Count Finkenstein, and delivered him the copy of the Treaty in both languages ready to be drawn up.

15th. Evening party at the Minister Arnim's. Spoke to the Count Haugwitz concerning the affair of the Jew Bluch. He told me he had made his report to the King upon the subject of the Treaty, and that he expressed his satisfaction that the business was drawing so near to a conclusion agreeable on both parts.

July 9th. Received from the Cabinet Ministers a notification to meet them on Thursday, the 11th, at Count Finkenstein's, to exchange the full powers and sign the Treaty. The Austrian Chargé des Affaires told me he heard I was negotiating a Treaty of Commerce here.

11th. I am this day thirty-two years old. Went at eleven o'clock, according to the notification which I received from the Cabinet Ministry, to Count Finkenstein's, where I found the

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three Ministers assembled, and Mr. Renfuer, a counsellor in the Department of Foreign Affairs. The four copies of the Treaty, two in English and two in French, were ready, and we immediately proceeded to exchange full powers, and then to sign and seal the Treaty. I then took them all with me home to examine them and ascertain their accuracy. In the evening I carried back and left at Count Finkenstein's the copies which are to remain here.

15th. Very busily employed the whole day, writing letters. Evening at Bellevue. Prince Ferdinand asked me how the King of England looked when my father was first presented to him as American Minister. I said he assured him of his friendship for the United States. "I should not much trust in such assurances," said he. I said we could trust in them as far as it was the King's interest to observe them. "It was the King's caprice," said the Prince, "and Lord North's which occasioned the American Revolution." He has said the same thing to me before. He hates most cordially the King of England—I know not why.

17th. At about four this afternoon I set out, with Mrs. Adams, Epps, Whitcomb, and André, from Berlin. We rode only three miles, to Mittenwalde, where we arrived between eight and nine in the evening, and lodged at the post house. The soil of the country through which we came was sandy and poor; yet we saw a great deal of grain, chiefly rye, standing. Mrs. A., though somewhat unwell part of the stage, bore the ride much better than I had expected. The inns upon these German roads are seldom good; they are not much travelled, and when they are, the travellers generally go night and day. The mistress of the post house seemed to study to appear still more disobliging than she really was. She said it was impossible to give us more than one room, or more than two beds. Mam'selle, she said (meaning Epps), must sleep in the same room with us, and lie upon straw. The Duchess of Courland had stopped at the house, and made no difficulty to lie upon straw, and she (the Postmistress) could surely not take the beds of her own people in the house to accommodate us. I desired her by no means to give herself any trouble, and told her we

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would suit ourselves altogether with a single chamber and two beds; after which, of her own accord, she gave a second room and another bed, with straw for Epps. The Postmaster enquired after the news, and talked politics, which in these countries is uncommon.

18th. Somewhat before seven this morning we left Mittenwalde, and went a stage of three German miles to Baruth. We arrived just at noon. About half way between the two, we passed a bridge over a small ditch, with a column near it, marking the boundary line between the Mark of Brandenburg and the Electorate of Saxony. At three we left Baruth, and, after travelling one stage of three miles more, arrived at Lückau, which is a small city. The inn at Baruth was worse than the post house at Mittenwalde; we could get no vegetables, and the master of the house told us that it was yet too early either for peas or potatoes. At Lückau we found no better fare, and the beds were bad. We put up at a house in a large square, in the middle of which was a church, where we soon heard the evening prayer sung by some charity boys, accompanied by an organ; and afterwards a man blew a horn for about half an hour uncommonly well. The land has been this day as indifferent as that which we traversed yesterday, and as much covered with corn of various kinds.

19th. I had very little or no sleep, and was continually disturbed by the clock of the church in the square, which struck every quarter of an hour. Between five and six we left Lückau, and went two miles to Sonnenwalde, thence three miles to Elsterwerde, and thence two miles to Grossen-Hayn. About half way between Sonnenwalde and Elsterwerde we met Count Panin returning from Carlsbad in great haste, upon business, to Berlin. He gave us a formidable account of the last stage between Dresden and Töplitz. We arrived at Grossen-Hayn, which is a small city, at about eight in the evening, and stopped at a better inn than any that we have hitherto found. As we advance into Saxony the soil grows better, though we have found a great proportion of sand through the principal part of this day too. The land is everywhere as much cultivated as its nature will admit.

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20th. Slept very well, though in beds upon the floor, and between sheets not altogether clean. The beds at inns in Germany are all extremely narrow and very short; so that only one person can lie in them, and he not at full length. They use only an under sheet, and have neither blankets nor coverlets. Their bed covering is a light feather bed, with a linen case, like a pillow case, drawn over it. Their pillows have generally no case, but a piece of linen eighteen inches or two feet square sewed upon one side of the pillow, and therefore very seldom washed. We left Grossen-Hayn at about nine this morning, and after a ride of four miles with a very good road, we arrived at Dresden just at two o'clock, and stopped at the Hôtel de Pologne. The country this day has been very beautiful and in high cultivation. There could not be a more favorable time of the year to observe a land well tilled than the present. Every spot of ground capable of producing any thing, all the way from Berlin, is loaded with some harvest. Wheat, rye, oats, barley, buckwheat, tobacco, cabbages, and potatoes cover the ground in constant reciprocal succession. There are likewise a few meadows, where we found the people making the hay; a few pastures full of cattle, and some spots where there were flocks of sheep. Perhaps a quarter part of the way consisted of pine forests, producing absolutely nothing else. The corn found in greatest quantity is rye. In the afternoon I purchased a description of Dresden in the French language, and walked a little round the town with Mrs. Adams.

21st. Went with Mrs. Adams at one to Mrs. Errington's lodgings. Left her and took a walk about the town. The principal remarkable objects are a very handsome bridge over the Elbe, which separates the old from the new town of Dresden; the Catholic Church, or Elector's Chapel, communicating with the Electoral Palace; the Zwinger, a set of buildings forming a square, which are in a bad taste of architecture—used to contain a museum, and an orangery, and several churches. It is a rule to cross the bridge always on the right hand, of which I was reminded by a sentinel. In a square beyond the bridge is an equestrian statue of the Elector Augustus the Second in

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bronze gilt. I went into the church of the new city, where I found the religious service performing.

22d. Just after ten this morning, Mr. Errington called and went with me to the gallery of pictures, where I spent a couple of hours in looking over them. It is one of the finest collections in Europe, and requires to be more leisurely viewed.

24th. At four this morning we left the Hôtel de Pologne, which is an excellent inn. The postmen are remarkably punctual here, and they require the same punctuality on the part of travellers. We passed through the Elector's garden, and arrived in two hours at Zehist, a stage of two German miles. The road is the best we have had the whole way from Berlin. From thence to Peterswalde, which is only a stage of two miles, we were four hours and a half upon the road, which was very hilly. Just before we reached Peterswalde we passed the boundaries between Saxony and Bohemia, and had our trunks plumbed by the Austrian officer of the customs. Soon after, we met the Countess de Castell, who was returning from Töplitz to Berlin, by the way of Dresden, and who told us she had this morning left the apartments engaged for us. From Peterswalde to Töplitz is a stage of three miles, which the descent of the Geyersberg, a mountain very long and very steep, renders extremely tedious and too dangerous to remain in the carriage. Women are carried in arm-chairs by two men, like sedans. The rest of us walked. The descent I suppose to be about three English miles long. About two-thirds of the way down are the ruins of an old castle. The view from the mountain is grand and rugged, but you see no water. Töplitz is about three miles distant from the bottom of the hill. We arrived about a quarter of an hour before seven in the evening, after a very fatiguing day. We lodge at the sign of the Black Horse, in a house belonging to a Doctor Ambrosi.

25th. As we were going out this forenoon to walk, we met Count Golowkin, who was coming to see us. He walked with us over Prince Clary's garden, which is spacious and handsome. At two we dined. After dinner paid a visit to Countess Golowkin, and afterwards to Madame de Marschall, who lodges in the same house with us, in the chamber over us. At five we went to

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the tea party, which is given by different persons every day at the hall in the Prince's house. It was this day given by a Count and Countess de Kollowrat, to whom Count Golowkin and his lady introduced us. We were likewise here presented to the Grand Duchess Constantine of Russia, and to her father and mother, the Prince and Princess of Saxe-Coburg, and their unmarried daughter; likewise to the Prince Reuss, the father of the late Austrian Minister at Berlin, and to several other persons. We found also some old acquaintances—Prince Charles of Nassau Weilburg, Madame de Blumenthal and her daughters, the Chevalier de Villenotte, Mlle. de Ruville, &c. We made a short stay.

26th. Second anniversary of my marriage day. We took a walk before breakfast upon the hill which overlooks the town, and enjoyed a variety of prospects. Walked again after breakfast. At the tea party, which was this day given by Madame de Melnitz, a Saxon lady. Went afterwards to the play, and saw a comedy of Schröder, entitled "The Ensign." The author appears to be an imitator of Kotzebue. "The Two Billets," translated from Florian, was likewise performed, by children. The Chevalier de Villenotte told me he had seen me at Artaud's at Petersburg in the year 1782. I had altogether forgotten it.

27th. At the tea party this afternoon about half an hour. These parties are dull and tedious, and are made quite uncomfortable by the presence of the Grand Duchess and the other Princes. Went again to the play, which was "The Chess Machine," a translation from the English, attempting at humor, but with little success.

28th. Walked again before breakfast, and after it went to church to hear mass performed. The music was very good, but the church so full that we could get no seats; numbers of people remained in the church yard during the service, the inside being so crowded that they could not get in. Were a few minutes at the tea party, given this day by Count Golowkin, and afterwards at the play, an opera called "The Mirror of Arcadia;" tolerably well performed, though most of the singers were indifferent. The two principal characters were very good.

30th. In the afternoon Prince Clary, instead of giving his

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tea party at the Hall, took the whole company to Dopperlburg, a park belonging to him, about three English miles from town. The ride was very agreeable, and the views of the mountains around varied and pleasing. The tea and other refreshments were given in a small summer house in the Chinese style; from which we could look into the park and see the numerous deer as they ranged along. Most of the company likewise took a walk in the park. We returned between seven and eight in the evening. Part of the company went to the play.

September 9th. Called in the forenoon to take leave of Count Brühl. Between one and two o'clock, afternoon, we left Töplitz and rode to Aussig, two German miles. The roads are not bad, and by travelling this way we avoid altogether the Geyersberg. Count Brühl had written some time ago to Dresden, to procure for us a boat to come and take us at Aussig and carry us down the Elbe. We found the boat accordingly at Aussig, and had the carriage embarked in it, so as to be ready to go to-morrow morning at five o'clock. Just before we left Töplitz, Countess Panin and Countess Ozarowska called on Mrs. A. We have paid twenty-four florins a week for our apartments, consisting of five rooms upon a first floor, and a chamber for a servant, and having the furniture of every kind provided for us.

10th. Just after five o'clock this morning, after passing an uncomfortable night at the tavern at Aussig, we went on board our boat, which is built something like a Dutch treckschuyt, but is much smaller. We floated down the river with the current, assisted by three rowers. At ten o'clock in the evening we arrived at Dresden. Through the greatest part of the way the river runs through two very steep and lofty ranges of hills and rocks. The towns of Tetschen, Schandau, and Pirna, the fortress of Königstein, one of the strongest fortresses in Germany, the Elector's country seat at the famous Pillnitz, and a country seat belonging to Count Thun, meet us on the road. After we passed the boundaries between Bohemia and Saxony, we frequently passed people who were hewing stones from the immense rocks which border the sides of the river, for building at Dresden.

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11th. Called early this morning at the banker's, Mr. Gregory, to have the remainder of the Vienna Bank bills, which I brought from Töplitz, exchanged, which at his counting-house they made some difficulty to do. Afterwards went with Mrs. A. to the Fair, which was just closing as we arrived. We made, however, some purchases. After dinner we called at Count Golowkin's, at the Hôtel de Bavière. They were two nights and three days coming from Aussig down the Elbe. We found at his lodgings a large part of the company we used to meet at Töplitz; and also Mlle. de Bischofswerder and her mother. We passed the evening at Mr. Greathead's, an English gentleman and family, to whom Mr. Errington introduced us. As we went in we met Mr. Elliot, the English Minister, coming out.

12th. Walk before breakfast with Mrs. A. in Count Brühl's garden. Their owner was father of Count Brühl, our acquaintance, Minister to Augustus, King of Poland, and famous alike for his extravagant magnificence and for his enmity to Frederic the Second. The ruins of a summer house in the garden testify the animosity at least of Frederic's troops against the Count; as Dresden in general bears marks of the sufferings which Frederic inflicted upon it in the Seven Years' War.

13th. Went this morning to the gallery, and spent a couple of hours upon the Flemish school. Mrs. Errington went and introduced me at the Ressource, where we found Mr. Elliot, who offered to present me on Sunday next to the Elector, at his Court, and desired me to send him visiting cards, to be sent round, which I did accordingly.

14th. Paid visits this morning to Mr. Elliot and Count Zinzendorff, neither of whom was, however, at home. Spent half an hour in the gallery. At one, Mr. Elliot called on me, and took me to dinner at Count Lose's, the Minister of Foreign Affairs. It was a dinner of ceremony given to Mr. Bibikoff, the Russian Minister, who has very lately arrived here; and as he is already recalled by his Government, it was at the same time the dinner upon his taking leave. The company consisted of about twenty-five persons, several of whom I knew before—Count Zinzendorff, Mr. and Madame de Bacounin, Baron de

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Rosencrantz, Mr. and Mrs. Greathead, and their son. Mr. Elliot came home with me.

15th. A few minutes before noon I went to the Electoral palace, and was there presented by Mr. Elliot to Prince Max, the Elector's brother, his wife, a Princess of Parma, and the Elector's sister, the Princess Mary Ann, and afterwards, by an audience, to the Elector and Electress. Mr. Bibikoff, the Russian Minister, had at the same time an audience of leave, as had Baron Rosencrantz, who has resided near here through the summer, and is upon his return to Berlin. At four in the afternoon I paid a visit of form at Count Lose's. The Countess only was at home. Went at five to an assembly at the Governor's (of the city). A numerous company, very much resembling the usual societies at Berlin. I came away just after eight, the time at which these assemblies usually break up.

16th. Was at the gallery of pictures this morning, and continued my examination of the pieces of the Flemish school.

20th. At the gallery again this morning, and went regularly through the Italian school. The great Raphael is undoubtedly the first picture in the collection.

22d. Mrs. Adams went with Mr. and Mrs. Errington to the Catholic church. At noon I went first to the cercle at Prince Maximilian's (the Elector's younger brother), and afterwards to that of the Elector himself. Afterwards dined with the Elector, who invites alternately his own and the foreign Ministers every other Sunday. Passed the evening at Mr. Elliot's, with a large company. Countess Panin was there. Stayed to supper.

23d. Went this morning with Mr. and Mrs. Errington, Mr. Artaud, and Mr. Oliver to see what is called the Electoral treasure, consisting of a numerous collection of articles in silver, gold, and precious stones. The jewels of state which belonged to the Elector's ancestors when Kings of Poland, and are now worn upon great occasions by the Elector himself, are the most valuable of these splendid baubles. Of diamonds, rubies, garnets, emeralds, sapphires, onyxes, &c., &c., there was no end. A green diamond, weighing one hundred and twenty-nine grains, is said to be the only one of its kind in Europe. There are

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numerous sword-hilts, cane-pommels, epaulets, buckles, hat-loops, stars and crosses of the Order of the Golden Fleece, buttons, ladies' necklaces, ear-rings, and breast-knots, consisting entirely of brilliants or rose diamonds. The value of this treasure is estimated at fifteen millions of dollars.

28th. Was again at the gallery of pictures this forenoon; and in the afternoon with Mrs. Adams, to take our leave of it. On Monday it closes for the season. I have here had leisure to view one of the finest collections extant of the Italian and Flemish schools, more attentively than I had ever an opportunity before. It has given me a little further insight into the principles and history of the art, or rather has served to convince me how little I knew of them before, and how little in so short a time it is possible to acquire.

29th. Went to the Catholic church and heard mass performed. It is a very elegant edifice, and is adorned internally with many altar-pieces by Raphaël Mengs, whom the Germans consider as the greatest of modern painters. The great altar-piece, being the ascension of Christ in presence of the Apostles, is his masterpiece. After church we took a ride to Planeschengrund, about three miles out of town, and where the landscape is very pretty.

30th. We went this morning with Mr. and Mrs. Errington to see the public library, which is in the Japanese Palace, over the bridge. The building is spacious and elegant. The library occupies two stories—the first and second floors. It contains one hundred and fifty thousand volumes, and in historical, theological, and classical books is very well furnished. They have a great number of valuable manuscripts, none of which were, however, shown to us. There is a collection of several thousand Bibles of various editions and in all languages. One of them, printed at Mentz, by John Fust, in 1464, was shown to us as the first edition ever printed. There was a Universal Lexicon, or Encyclopedia, in German, sixty-four volumes in folio, printed thirty years before the French Encyclopedia, and probably the most voluminous work of the kind ever published. In the cellars of this building we saw a great collection of Saxon, Japan, and Chinese porcelain, of which there was

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nothing curious but some specimens of the oldest porcelain made in Saxony, the secret for the composition of which is now lost. We were also shown several pieces of tapestry worked with the figures of Raphaël's cartoons.

October 1st. Went this morning to the Catholic church to hear the obsequies of the late King of Poland, the Elector's grandfather, performed. I suppose it is an annual solemnity upon the anniversary of his death. The church was partly hung with black; and the Elector, with his family and Court, appeared in mourning. The music was very good. Called afterwards on Count Brühl, but did not find him. Countess Werthern and her daughter paid a visit to Mrs. A. Mrs. Fylidtzch, Mr. and Mrs. Errington, at tea; and Mr. Artaud, who likewise passed the evening with us, and told us much of his travels and adventures in Italy.

2d. We went this morning with the intention to see the Cabinet of Antiques at the Japanese Palace. But, the Inspector being out of town, we were obliged to defer the sight for another day. We saw the magazine of porcelain from the manufacture at Meissen, which is not equal to that of Berlin. And, after that, we saw the collection of models in plaster of Paris taken from all the finest antique statues. The collection was made by Mengs, and is larger than any I have seen before. There are likewise some of the models from works of modern sculptors: Michael Angelo, Bernini, Fiamingo, &c. In the evening we went to the Italian Opera, which opens this night for the season. They perform three nights a week through the season, chiefly comic operas. This evening it was Le Donne Cambiate, or the Ladies Metamorphosed—exactly the story of the English farce called the Devil to Pay. The performers are in general good, and, as well as the music, so much superior to any thing I have heard for years, that I was very much delighted with the entertainment.

3d. We went with Mr. and Mrs. Errington to Kōnigstein. Took four horses with our own carriage, and set out at seven in the morning. Shortly before eleven we reached the bottom of the rock. By land it is only three German miles distant from Dresden; and the road, being through Pirna, is very good.

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We went over the whole fortress, and saw the arsenal, the casemates built by the present Elector to lodge the soldiers in time of war, the great tun full of wine, containing, as they told us, ten thousand hogsheads, the famous Page's Bed, being a ledge not more than a foot wide upon the summit of the rock, from which the perpendicular descent is about two thousand feet, upon which a certain page, named Robert von Grünau, once, being drunk, laid himself down and went to sleep; he was saved by passing a band round him while he slept and drawing him into the window out of which he had crept to take his pleasant siesta. Had he waked of his own accord, he could not possibly have risen; and had he moved himself the space of two inches, he must have gone over the ledge. This man, they told us, lived to the age of one hundred and eight years, having escaped one other danger nearly as great as that at this spot. A horse upon which he was riding leapt with him from the bridge at Dresden into the Elbe. Perhaps the greatest curiosity here, however, is the great well, dug through the rock, more than eighteen hundred feet deep—a work of forty years. They sent down four lighted candles with one of the buckets to show the depth more clearly. The buckets are drawn up and down by a large wheel turned by four men, who are thus constantly employed in drawing water for all the purposes of the garrison. The fortress is inaccessible excepting at one entrance, which is sufficiently guarded by out-works, a draw-bridge, a covered way, masked batteries, three gates, and every other proper precaution. A garrison of eight hundred men is sufficient to defend it, and it cannot contain more than eighteen hundred. During the Seven Years' War, while the whole Electorate was in the possession of the King of Prussia, the Elector's family, with all the precious things he had at Dresden, were protected and preserved in this fortress, which Frederic never attacked.

4th. At eleven this morning we went to see the collection of antiques belonging to the Elector, and kept on the ground floor of the Japanese Palace. The number of fragments is very considerable, and of various merit; but most of them have been repaired in modern times, that is, about a century ago, at Rome,

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and the repairs are so indifferently executed that they always injure the remains of the original itself. There are many objects of curiosity in this collection; but none superior to three statues of females almost entire, and the very same which were first found at Herculaneum and led to the discovery of the place. One of them, representing a walking vestal, is one of the finest statues I ever saw. There are likewise several mummies in perfect preservation, the same mentioned by Pietro de la Valle; a number of funereal urns still containing their ashes, a couple of lions of Egyptian sculpture at the earliest period of the art, and a Grecian tripod nearly three thousand years old. We wished to see the medals, but the Inspector who attended us, Professor Becker, told us he could not show them without an express order from Count Marcolini.

5th. At twelve we went to see the Rüstkammer, or Electoral collection of arms, ancient and modern, a collection rather large than remarkably curious. Among the rest are preserved here all the dresses used at a splendid tournament, or Carrousel, given by the Elector Augustus II. in the year 1719 as an entertainment to the King of Denmark. As there are many of the armors worn formerly by the Electors, we had opportunity to observe how very heavy they are. A complete armor must have weighed from one hundred and fifty to two hundred pounds. We were also shown the barrel of a pistol, being the identical instrument first contrived by Schwartz, the inventor of gunpowder, to shoot it off.

6th. At noon attended the Court; was presented, for the first time, to Prince Antony, the Elector's eldest brother; and also to the Elector himself, and the other Princes, to take leave. The Electress holds her Court from six to eight in the evening; but, as Mr. Elliot does not go this evening, I must dispense with a presentation for taking leave, to her. At this Court were the Duke del Parque, a Spanish nobleman, appointed as Ambassador to St. Petersburg some time ago, but who had not reached that post when the Emperor of Russia declared war against Spain; the Duke of Holstein-Beck; a nephew of the Princess who resides at Berlin; and the Count de Lodrone, who is going as Austrian Minister to Stockholm. The two latter

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stayed to dinner. Had some conversation at dinner with the Count de Bose, who is director of the theatres; he said the Elector would not permit such a play as Kotzebue's Benjowski to be performed here, on account of its immorality.

9th. The boasted punctuality of Dresden post-men was this time in default; we had ordered our horses at four in the morning, and were then ready for them. They did not come until past five. We immediately set out and went to Grossen-Hayn, four German miles. We arrived there at half-past ten, and, after waiting an hour again for horses, proceeded to Cosdorf, three miles. We arrived there shortly before *three*. Dined while the horses were getting ready, and at four departed again. At seven we reached Herzberg, two miles, and found very good lodging at the post house. We have thus travelled this day nine German miles, which we have never done before. The road from Dresden as far as Cosdorf is perfectly good; after which we begin again to find them sandy. We took this road in order to go through Potsdam.

10th. At five this morning we left Herzberg, and went four miles to Jüterbok; where, owing to the badness of the roads (sand and mud), we did not arrive until near noon. At one, afternoon, we again set out, and reached Bëlitz at six; the distance is three miles. They kept us waiting here two hours for horses. Bëlitz is the first Prussian town, and the boundaries are just before the entrance of the town. We went two miles further in the evening, and reached Potsdam at half-past eleven. We lodge at Henschel's, the sign of the Hermit.

11th. We went this morning and saw the gallery of pictures at Sans Souci. It is small, but valuable for many excellent pictures.

November 25th. Evening at Princess Henry's, and supped there. Talked with the Marquis de Lucchesini about Frederic II., who, he says, at the very commencement of our revolution said to him, "Les Américains ont échappé à l'Angleterre." He thought it a great fault that the English did not send a much larger force at once. Lucchesini says he was to have been the editor of Frederic's works, but was employed just at that time by the successor upon a mission relating to the league of the

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German Princes; that there were several passages in the posthumous works that were omitted—particularly relating to the Empress of Russia, and to Prince Henry of Prussia, with whom the King was very much dissatisfied at one time on account of a secret negotiation which Prince Henry had undertaken for a cession of the Margraviates of Bayreuth and Anspach to him during the war of 1779. Zimmerman's anecdotes are in general tolerably accurate, he says, but oftentimes receive a color not belonging to them, from the author's egotism.

On the 17th of July, 1800, Mr. Adams started on an excursion of some weeks to Silesia, mainly for the benefit of his wife, whose health had never been good at Berlin. His absence extended beyond three months, during which period his diary was kept only in the form of very brief and uninteresting minutes. This was in a measure caused by the fact that he occupied much of the leisure time in fulfilling a promise made to his brother, who had just left him to return home, to give him some account of a region not at that time visited by Americans, nor, indeed, by travellers generally. The consequence was the production of twenty-nine letters in the course of the journey, all of which were duly transmitted to Philadelphia, where his brother had established his abode. They were written with all the freedom incident to private communications, and without an idea of publication.

But it happened that just at that time one of the friends and college mates of this brother, Mr. Joseph Dennie, with whom he had long been intimate, was engaged in starting a periodical publication, under the name of the *Portfolio*, at Philadelphia. As the letters followed each other successively, they fell into his hands and excited his interest. Fancying that they might contribute attractive materials to promote the success of his project, he found no difficulty in gaining the consent of the recipient to insert them. Accordingly, the first letter, dated 21st of July, 1800, appeared in the opening columns of the *Portfolio*, issued on the 3d of January of the next year, and each of the series written during the journey regularly followed in a corresponding number of the issues of that magazine.

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This proceeding appears to have been carried on without the knowledge of the writer. After his return to Berlin, he added thirteen letters more, in which he comprised all that he could collect of information respecting the history and resources of this remote region from his researches in that capital. The date of the last is the 17th of March, 1801, about four months before his final departure. By that time he must have known of the commencement of the publication. But even then he could have done little to control it. Unfortunately, there were a few references to individuals and to conversations which, however natural to commit to writing in wholly private correspondence, the editor of that magazine himself should have had the delicacy to mark, and the discretion to suppress, as never intended for the public eye.

Whether these passages ever came under the observation of the persons affected is not certain. So long as they remained confined to the columns of an American publication of that day, the probabilities would favor the negative. But they were not so confined. Again, without the knowledge or consent of the author, an individual, unknown to him, but fully aware of the facts in the case, nevertheless took the collection from the *Portfolio* to London, and there had them printed for his own benefit, in an octavo volume, in the year 1804. From this copy they were rendered into German, and published at Breslau the next year, with notes, by Frederick Albert Zimmerman; and in 1807 a translation made into French, by J. Dupuy, was published in Paris by Dentu.

Thus it happened that these letters, originally intended as purely familiar correspondence, obtained a free circulation over a large part of Europe without the smallest agency on the part of the author, or any opportunity to correct and modify them, as he certainly would have done had he ever possessed the power.

His own sentiments on this subject will be found unequivocally expressed in the entry of his diary, 20th September, 1804, when he first heard of the publication in England.

Many years afterwards Mr. Adams was sent in a public capacity to Great Britain, and there had occasion to meet once

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more the persons justly entitled to complain of this breach of courtesy. But whether the facts connected with their history had long been so well known in society as to make any notice of them matter of indifference, or so much time had elapsed as to bury the incident in oblivion, the fact is certain that he received from these parties civilities the more sensibly felt that they had not been expected or sought. Evidence of this will be found in the diary for June, 1816.

DRESDEN, *September* 15th, 1800.—Went to see the Electoral collection of prints, and spent the forenoon in looking over a series of portraits engraved by Bartolozzi from designs by Holbein. They are all of distinguished English characters during the reigns of Henry VIII. and of his children. They are published by Mr. Chamberlaine. We likewise looked over a volume of engravings from Raphael, consisting, in a great measure, of grotesques and arabesques from his fresco paintings. There are ten volumes of his works. The collection of prints from the pictures in the gallery here is very incomplete, and in general poorly executed. I took only three of the prints. Paid a visit to Mr. Elliot. Found him confined with a headache. Had a long conversation with him. In the course of it he took occasion to speak of the robbery of Arthur Lee's papers during the American war, which has always been imputed to him. He declared solemnly that he did not order it; that it was entirely the work of a servant, through whom the papers were brought to him. He did not read them; that the only papers of consequence he found were the draft of an unfinished Treaty with Spain, and a letter from Frederic the Second, or one of his Ministers, promising, if any other power would set the example of acknowledging the independence of the United States, that he would be the second to do it. He was very much offended at the transaction, and Mr. Elliot was obliged to send the man who had committed the robbery privately out of the country.

May 5th, 1801. Between four and five o'clock this morning I left town, and went with Whitcomb to Potsdam. At ten the King's carriage came and took me at the inn. The Minister Alvensleben went with me, and introduced me to the audience.

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The King's Aid-de-Camp Kökeritz was the only person in the antechamber. I delivered my letter of recall, and took leave. The King told me he had been pleased at my residence here, and was well satisfied with my conduct. At eleven o'clock I had the audience of the Queen. Was introduced by Mr. Massow. Countess Voss and two maids of honor were with her. She repeated nearly what the King had said, with less appearance of saying mere formalities. Talked about Silesia, Switzerland, sea voyages, and so forth. In less than half an hour all was over. I returned to the inn; wrote a letter to my brother, to pass the time; dined between two and three, and at four set out upon my return to Berlin. We reached home about seven in the evening.

June 7th. Continued to read in Tillotson's Rule of Faith. It is a discussion whether the Scriptures or tradition are the proper rule of Christian faith. A great question between the Catholics and Protestants. Mrs. A. went to Charlottenburg in the forenoon. I went to see the celebrated monument erected in honor of the Count de la Marche, a natural child of the late King by Madame Rietz. He died at eight years of age. The figure of the child, at full length, is lying upon a bed, the *sword* just dropped from his hand. In the wall above is a niche, with the three *Destinies*, sitting forms, rather larger than human, submitting with reluctance to the decree they find written, to snap the fatal thread. On the long side of the tomb, Time is dragging the child along, to thrust him into the pit, while he struggles with backward looks to Minerva, who sits concerned at the loss of so promising a youth. At the two end sides are copies of the antique monumental figures of Sleep and Death. The execution of this work, by Schadow, is fine. The form of the child upon the tomb is full of grace. The fatal sisters are worthy of a Grecian sculptor. The figure of Time appears the least deserving encomium, but the whole is a masterpiece. The Latin inscription, inter alia, says the child already possessed *egregious virtues*. A bastard infant, dead in his ninth year—a superb and costly monument, in a Christian church—and a marble record of his egregious virtues! The late King was a man of mild and amiable personal

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disposition, and an elegant taste in the arts. But his moral feeling, his sense of what is decent and becoming—what was it?

8th. Writing the third and last letter upon Mr. Gentz's book. In the evening I went to the play, and saw Gustavus Wasa, a tragedy by Kotzebue. This is one of the factious subjects suited to the spirit of the times, and the author has treated it accordingly. His Christiern is not only the most odious, but the most despicable of tyrants—at once the bloodiest of butchers and the basest of cowards. His *Archbishop* of Upsal is his only confidential counsellor, equally wicked, with cold blood and firm nerves. His Ahrendt Peterson, the nobleman with a fine castle, betrays his old friend, and shamefully violates the laws of hospitality. The models of virtue contrasted with these characters are a Dalecarlian peasant in extremest poverty, and the Burgomaster of Lubec, a Republican Hansetown. Gustavus himself does nothing for his country through the whole play. The plot is that of a common Harlequin pantomime, a continual alternation of the hero's perils and escapes. His heroic achievements are confined to kneeling and praying, and making one short inflammatory speech to the Dalecarlian peasants. It is one of Kotzebue's poorest plays.

17th. At half-past seven this morning we took our final leave of Berlin, and came in the course of the day seven German miles to Fehrbellin. About a mile before reaching the town we passed a small column, with an inscription purporting that Frederic William the Great came, saw, and conquered on the 18th of June, 1675. This was a celebrated battle in the annals of Brandenburg.[1]

HAMBURG, *July* 8th.—At about four o'clock this afternoon we went with Captain Wells on board a lighter in the river, and came down to the ship America, which we reached between seven and eight in the evening.

12th. At about three o'clock this morning, the wind proving fair, we got under weigh, and, without stopping at all at Cuxhaven, came at once out to sea. The pilot left us at about six. Before eight we had a sight of the island of Heli-

[1] Won over the Swedes.

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goland, and before noon were out of sight of all land. The weather through the day was thick and rainy.

16th. All last night and this day we had a very fresh breeze, which carried us from seven to nine knots an hour. In thirty hours' time we had run not less than four degrees northward. The difference in the length of the day is greater than I ever witnessed. Last night it was dark by nine o'clock in the evening. This night it was still light at midnight.

17th. Spoke this morning to a Dutch fishing boat. Told us we were fourteen leagues distant from Fair Island, bearing N.N.W. But the weather, which began to be very foggy yesterday, continued so all this day, until it became so thick that nothing was to be seen at the distance of one-quarter of a mile. In this situation, at about seven in the evening, the land was spied just under the ship's bow. She was in no small danger of stranding, and had just time to put about and steer back the way she came.

19th. The weather became a little clearer this morning, and we made the land of the Orkney Islands. At about noon, a small boat rowed up to the ship, while about three leagues distant from the shore. There were five men in the boat, one of them a young man, who, by the captain's invitation, dined with us. He said his name was Streng, and that his father was the proprietor of the most part of *Sanda* Island, from which he had come to the ship.

The boat belonged to *Fair* Island, which lies about half way between the Orkney and Shetland Isles, and distant about twenty-five miles from each. Two men had come in it to get some grain, which in Fair Island was very scarce. They brought on board a couple of lambs, some chickens, and some fish, both salt and fresh, for which they would take no money, but asked for rum, tobacco, fishing-lines, soap, old clothes, and, in short, any thing we chose to give them. Mr. Streng told us that Sanda was acknowledged to be the prettiest of all the Orkney Islands, and told us how happy his father would be to see us on shore. He left us at about two o'clock, and promised to send us a pilot from the shore as soon as possible. But very soon after he went away a thick fog came up, and we were obliged to stand away from the land.

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20th. Fine clear weather this morning, and we passed between Fair Island and the Orkney Isles from the North Sea into the Atlantic Ocean; the weather soon thickened up again, and we could only keep a northwest course.

31st. *Day.* The life on board ship is so uniform that the only difference between one day and another is that of the winds. I find upon this passage what I have observed upon others heretofore—the sea affects my head; disqualifies me from all application of mind, insomuch that all the time I pass upon it is in a manner lost time. I cannot write. And though I read the more, I retain nothing of my reading. Retirement and silence indeed are necessary to reflection, and on board ship they are impracticable. On this passage I rise at about seven in the morning, breakfast at eight, dine at one, afternoon, take tea at six, and *turn in* between eleven and twelve at night. The intervals are all passed alike. When the weather is fair, upon deck, gazing at the skies and the waves; and occasionally looking through the spy-glass at some other vessel we chance to see. The rest of the time I read; but merely to pass the time, and with a rapidity proportioned to the weakness of attention. I am just finishing the Lycée, or Cours de Littérature of La Harpe, as far as it is yet published, that is the fourteenth volume. I suppose there must be at least seven more volumes to come, and the whole will not be worth Blair's Lectures. The book is, however, amusing. He has, indeed, nothing original. For his theory he analyses Aristotle, Longinus, Cicero, Horace, Quintilian, and Boileau; as for the application, he still analyses the great writers of ancient and modern French literature. This method might perhaps be prescribed by the character of the author's auditory at the Lyceum, and has its use for the reader; but it injures the work as an elementary treatise.

September 3d. Early this morning we again weighed anchor, and, with a faint and irregular breeze, proceeded slowly up the Delaware Bay. In the afternoon, at Port Penn, a custom house officer came on board. We made a progress of about seventy miles up the bay and river in the course of the day, and anchored about twenty miles below the city at night. New-

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castle and Wilmington, the points where the views from the river are most beautiful, we passed in the evening, and could not enjoy their fine prospects.

4th. At seven in the morning we passed Chester, and at the Lazaretto, twelve miles below the city, were visited by the health officer; the wind was very light, and the weather blazing with heat, as it has been these three days. About noon we landed at the wharf in Philadelphia, where we were received by my brother, who had just been informed of our arrival.

21st. At nine in the evening I reached my father's house at Quincy. Here I had the inexpressible delight of finding once more my parents, after an absence of seven years. This pleasure would have been unalloyed but for the feeble and infirm state of my mother's health. My parents received me with a welcome of the tenderest affection.

30th. This has been one of the months of my life in the course of which I have gone through the greatest variety of scenery. When it commenced, we were still at sea. Since then I have landed at Philadelphia, parted, for the first time since my marriage, from my wife,[1] travelled on to New York and to this place, and enjoyed the luxuries of meeting all my old friends. My mode of life has of course been altogether various.

[1] The father, mother, and sisters of Mrs. Adams had returned to Frederictown, in Maryland, to which place she was induced by the proximity to Philadelphia to go at once, before taking up her residence in Massachusetts.

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CHAPTER VI.

I. THE SENATE OF MASSACHUSETTS—II. THE SENATE OF THE UNITED STATES.

UPON his recall to the United States from a service of eight years abroad, by reason of the political revolution at home, Mr. Adams found himself obliged to resume the profession into which he had barely made an entrance when he went away. Of course he could not fail to experience the disadvantage to him of so long an absence at the most critical period of active life. He, however, showed no hesitation about his course, and soon found good friends, ready to yield him such aid as they had in their power. Among others, John Davis, then and for many years afterwards the Judge of the District Court of the United States for Massachusetts, designated him to serve as a commissioner in cases of bankruptcy in his court, in accordance with the authority given him by the law of that time. This promised to be useful chiefly as it tended to re-establish his professional relations in the view of the community. But in consequence of a change just then made by Congress in the statute, establishing a permanent office, the nomination for which was transferred to the Executive, Mr. Jefferson, the new President, promptly exercised his power and appointed some one else in his place. This proceeding was regarded by Mr. Adams's family, and especially his mother, as such a marked indication of personal ill will in so small a matter that it completed that alienation from him which had begun during the contest. It is due to Mr. Jefferson to say that some years afterwards, when overtures for a reconciliation were by chance presented, he utterly disavowed any such intention, and even the knowledge that he had ever done the deed. He had never thought of inquiring who served under the casual

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authority vested in the judges by the former law, and presuming them all to be of the opposite party, because most of those judges had belonged to it, he considered the new statute as a *tabula rasa*, and adopted, without a moment's hesitation, the list of persons recommended by his own political friends to rectify the inequality in the patronage. These rules have become so well recognized in party warfare of later years that no surprise will attend this relation. By Mr. Adams himself the matter was never regarded as important, especially as he was very soon called into public life, which would in any event have made it necessary to vacate the post.

The period of Mr. Adams's life embraced in that part of his diary comprised within this chapter was the most critical of his whole career. For that reason all the essential portions have been extracted from it, exactly as they stand. Thus it is made easy to follow the progress of his growth as a legislator from the commencement, when in the Federal Senate his course appears to meet but slighting notice, to its close, when he is put to the front in almost every situation of responsibility. Just the same indications will appear hereafter, in his longer and later career in the other House of Congress. In all legislative assemblies this issue is found to be the true test of relative powers.

January 28th, 1802. The day chiefly at my office. In the forenoon reading Park, and in the afternoon the British Critic. Evening at home, alone—studying G. Adams on air and chimney fireplaces. Walked in the mall just before night. I feel strong temptation and have great provocation to plunge into political controversy. But I hope to preserve myself from it by the considerations which have led me to the resolution of renouncing. A politician in this country must be the man of a party. I would fain be the man of my whole country.

29th. Phillips[1] was desirous of information whether I would accept the office of Judge of the Supreme Court of this State, vacant by the resignation of Mr. Dawes, who is appointed to

[1] John Phillips, an intimate friend of his at that time, and a highly respected citizen of Boston—afterwards selected to fill the responsible place of mayor on its transformation into a city.

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the probate and municipal offices. But he did not tell me what was the motive for his curiosity. He said he had heard only three persons mentioned—Sedgwick, Thomas, of Plymouth, and me. I told him that if the Governor, or any member of the Council whose vote was to concur in the appointment, wished to know my resolution, they might know it by applying either personally, or by any friend, directly to me. That I would tell him I did not want the place, and wished that no friend of mine would move a finger to obtain it for me. But that it would be ridiculous for me to tell anybody and everybody that I would or would not accept an office which there might be no thoughts of offering me.

April 1st. Forenoon at my office, reading Park. Private meeting of Commissioners in the case of William Micklefield. Declared him bankrupt. Evening at home, reading Locke, on clear and obscure, distinct and confused, adequate and inadequate, real and fantastical, and true and false ideas. Mr. Tudor called at my office, seemingly somewhat uneasy at a paragraph in this morning's Chronicle, objecting to the choice of him and myself as Senators (we have been held up as candidates in what are called the federal papers), because we are Commissioners of bankrupts, which the writer says must engross all our time. Mr. Tudor wished a paragraph in the Centinel, to state that we can without difficulty attend to the duties of both offices at once. He may have more reason than I to feel concerned for the result of the election, because being now a Senator he will be left out, and I shall only not be chosen, which are very different things. I have little desire to be a Senator, for, whether it will interfere with my duties as a Commissioner or not, it will interfere with pursuits much more agreeable to me than politics.

5th. This day the election of Governor, Lieutenant Governor, and Senators took place. The votes in this town were 2372 for Governor Strong, and 1498 for Mr. Gerry. The federal list of Senators, containing the names of Oliver Wendell, William Tudor, and Peleg Coffin, with mine, had 2375. The opposite list, Benj. Austin, Jr., James Bowdoin, Nathaniel Fellows, and David Tilden, had 1498.

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May 26th. This being the day of general election, at nine in the morning I repaired to the Senate Chamber, conformably to a summons which I received from the Governor on the 10th of this month. In the course of an hour thirty-four of the Senators chosen had assembled. The Governor then came and administered to us the oaths required by the Constitution. He was attended by five members of the Council. After he had withdrawn, the Senate, being formed, unanimously chose Gen. David Cobb their President. George E. Vaughan was next chosen as Clerk. A verbal message was then sent to the House of Representatives to inform them of these appointments, and a committee of three sent to the Governor with a similar message. Soon after a verbal message came from the House to inform the Senate that they had chosen John Coffin Jones their Speaker, and Henry Warren Clerk. A committee of the Senate was raised to examine and report the returns of Senators chosen— and three members for a joint committee of the House and Senate to examine and report the returns of votes for Governor and Lieutenant Governor. A message was then sent to inform the Governor that both Houses were ready to attend him to hear divine service performed. The Governor and Council then came, and with both Houses proceeded to the meeting house, where a sermon was preached by Mr. Baldwin, the chaplain of the House. At four in the afternoon the two Houses met again. The committee of the Senate made a report, by which it appears that there are thirty-six Senators chosen, and four places to be filled up by joint ballot of the two Houses. The joint committee had previously reported the election of Caleb Strong for Governor, and Edward H. Robbins for Lieutenant Governor. Upon which a committee was appointed to inform them of their being elected. A message was then sent to the House to inform them the Senate had assigned half-past six this afternoon for the two Houses to meet in convention to supply the vacant places in the Senate, and request their concurrence; which was immediately brought by a message from them. They met accordingly. The vacancies were filled by Mr. Frye, in York County, Messrs. Thompson and Hayward, in Plymouth, and Mr. Sumner, in Lincoln, Kennebeck, and Washington

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Counties. These elections being declared, the Senate returned to their chamber, ordered a notification to the Senators just elected, and adjourned until ten A.M. to-morrow. The proportion of votes for the candidates to the Senate was about one hundred and twenty to fifty.

27th. The Senate met at ten this morning. At about noon the joint committee, appointed to notify the Governor and Lieutenant Governor of their election, returned, and at half-past twelve those officers appeared in the convention of both Houses. The oaths were administered to them by the President of the Senate, as President of the convention, and immediately subscribed by them. The President of the convention then announced to them that they were duly qualified, and asked whether they should be proclaimed as such; which being assented to, he directed the Secretary to proclaim them, which he accordingly did. After which they withdrew. The convention dissolved, and the Senate returned to their chamber. They immediately adjourned to three in the afternoon. I dined at Mr. Emerson's with about fifteen clergymen. At four went to the Bankrupt Office, and attended upon two cases. At five found the Houses in convention had already made choice of nine counsellors from the Senate—the nine agreed upon in caucus after the adjournment in the morning. I had there proposed to take two or three members of opposite politics to our own, by way of conciliatory procedure; but no, they would not hear me. Lowell, who must bring in Ames and Bigelow if he can, very wisely proved the inexpediency of putting any Jacobin in the Council, upon general principles, and then himself proposed a Mr. Woodman, from York County, a violent Jacobin, but who did not happen to interfere with any of his intended candidates. The caucus, however, were rather more consistent, and carried the principle through. The counsellors elected are all federalists. Four of them, it is understood, will resign, to bring in others from the people at large. After the choice of counsellors in convention was declared, the Senate returned to their hall, ordered notification to issue to the counsellors chosen, and adjourned to nine to-morrow morning.

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28th. Attended in the Senate this morning. Four of the Senators yesterday chosen declined accepting seats in the council, and General Skinner said he understood Mr. Hayward, when he should come in from Plymouth, *was to resign too.* The Senate assigned at first this forenoon to come to a choice of counsellors from the people at large; but the House preferred half-past four in the afternoon. Nothing else was done before dinner. My father and mother came to town and dined with me, as did Mr. Pickman. At half-past three I went to the Representatives' chamber, in the old State House, and met the Charitable Fire Society. At four we proceeded to the Chapel Church. Dr. Elliot made the prayer. An occasional song was sung, written by T. Paine. The address to the Society was delivered by me. Afterwards I went with several other gentlemen to Mr. A. Welles' to tea. At the close of the evening my father and mother came to lodge here. Mr. Tudor, Mr. Quincy, and Mr. James White came as a committee from the Society to ask a copy of my address for the press, which I accordingly furnished to Mr. Cutler, the printer. It is to appear the beginning of next week.

29th. Attended this forenoon in the Senate. Seven of the counsellors elected were this day qualified in convention of both Houses, in a manner similar to that of qualifying the Governor and Lieutenant Governor. After returning to the hall, the Senate elected by ballot their part of five standing committees of both Houses—two Senators upon each. The committees are *on Accounts, New Trials, Incorporation of Towns, Incorporation of Parishes and Religious Societies,* and *on the Accounts of County Treasurers.* The House propose raising another standing committee to consider of applications for bridges, canals, and turnpike roads. Upon this the Senate did not act to-day. Several petitions were read; and Mr. Tudor moved for an order to authorize the chaplains of both Houses to officiate alternately in either. This was referred over to Monday. Adjourned to that day, ten A.M.

31st. There was little business done in the Senate. In the afternoon I made a motion for a joint committee of both Houses to amend the law respecting the election of members

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for the House of Representatives of the United States. A committee was ordered accordingly.

June 3d. I had engaged to dine this day with Mr. S. Eliot, but as the report of the Senate's committee upon the answer to the Governor's speech was to be made at four o'clock this afternoon, I was obliged to send him an excuse. We had no business of consequence in Senate this forenoon. But in the afternoon the report of the committee was made and read. It was very offensive to the other side of the House. Mr. Pickman, who drew the answer, had, at my request, and in full concurrence with his own opinion, inserted a clause declaring that, for the support of the Constitution, we consider it as most essential that the independence of the Judiciary Department should remain inviolate. This was the clause which roused the party in arms. They affected to take it up with extraordinary solemnity, moved for a distant time to debate it, and General Hull moved that a number of copies should be printed for the use of the members. I saw this as a menace, and therefore supported the motion. The thing was altogether unprecedented, and it was intended as a threat of appeal to the people. The only way to meet it was with defiance. General Hull withdrew his motion, for he found his own party more averse to it than ours. We assigned to-morrow afternoon to debate the answer.

4th. Mr. Simpkins, a minister in the town of Harwich, called upon me this morning respecting a petition of part of that town for a division, which, by a mistake in counting the numbers yesterday upon a vote of the Senate, was rejected. He made me a statement of facts, and asked for my support to obtain a reconsideration of the vote. In the forenoon the bill to secure a full representation of the people of this Commonwealth in Congress, which I had drawn up, and Mr. Bidwell reported, was read for the first time. Bidwell opposed it. Next Tuesday was assigned for the second reading. In the afternoon the answer to the Governor's speech was debated for more than three hours. Various attempts were made to strike out, to defeat, and to neutralize the clause respecting the independence of the judiciary. Every modification on our part was offered

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and inserted as to the form of expressions, but as to the sentiment itself we insisted upon the propriety and expediency of its insertion. The votes for it were nineteen to eleven. But Mr. Thompson, the Senator from Plymouth, voted very reluctantly with us, and under great fear and trembling for the consequences. He begged at first to be excused from voting, and finally said he should have liked much better to have the clause expunged, and he hoped nobody would be offended at his requesting to be excused from voting. The President told him by all means; and that whenever he had such a wish the Senate would always be willing to indulge him in it.

9th. Attended at the Senate upon two committees, before the meeting of the board at eleven o'clock. The bill for amending the districting law had its second reading and passed to be engrossed. It was sent down to the House this afternoon. We had the subject of banks again all this afternoon upon a petition for one in the town of Beverly. It is to be taken up again tomorrow.

10th. The remainder of the day at the Senate, which was principally occupied with the subject of banks. A bill for renewing the charter of the Union Bank for ten years, with some changes, came from the House. Being a proprietor in that bank, I took no part in the debate. The Senate struck out two sections,—one to tax the bank five per cent. on the dividends, and the other to take off their obligation to loan upon mortgage.

15th. Rest of the day at the Senate. Debated and passed the Wiscasset Bank bill. Drew up a new bill for altering the districting law. They had sent up from the House a new draft, hasty, incorrect, and almost unintelligible. In the afternoon the Senate discussed the bill reported for remitting part of the sentence on the impeachment of John Vinall. Adjourned the decision until to morrow.

November 3d.[1] The result of the election in this district stands thus:

[1] This was the day of election for members of the federal House of Representatives.

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In Boston.	For William Eustis, 1430 votes.	For John Quincy Adams, 1496
Charlestown,	244	133
Medford,	17	96
Hingham,	83	79
Malden,	90	21
Chelsea,	21	15
Hull,	14	0
	1899	1840

So that Dr. Eustis stands re-elected by a majority of fifty-nine votes. The cause assigned by the federalists for their failure is, that the election day was rainy, and that a large number of strong federal votes from the remotest part of the town was lost by non-attendance. This is one of a thousand proofs how large a portion of federalism is a mere fair-weather principle, too weak to overcome a shower of rain. It shows the degree of dependence that can be placed upon such friends. As a party, their adversaries are more sure, and more earnest. For myself, I must consider the issue as relieving me from a heavy burden and a thankless task.

Here closes the first volume of the diary. The second opens with the following motto:

Μαθητῆς προτέρᾳ ὕστερος ἐστιν ὀρθρος.

"But you with pleasure own each error past,
And make each day a critic on the last."—POPE.

February 2d, 1803. The Senate this day got through the bill for incorporating an insurance company, and several others. They took up the report of the committee that it is inexpedient to apply to Congress for leave to sell our stocks, and rejected it. The committee on the banks were to meet this evening at six o'clock; but upon going to the State House we found the doors shut. Postponed the meeting therefore until to-morrow. Mr. Ames dined with us at Mr. Bussy's. As we were leaving the house together, I told him that I had heard that both his name and mine were upon the nomination list now in the House of Representatives for the choice of a Senator in Congress. I

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asked him whether he would accept the office, if chosen, and assured him that, if he would, my name should not stand in competition with his; that I would take care to have it removed, and should be highly gratified to contribute all in my power towards securing his election.

He said *he* was entirely out of the question—that he could not go at any rate, and that if his name was on the nomination list it was altogether without his knowledge or consent. He said the federalists were driving on just like a militia, without concert or order, and that some measures ought to be taken to produce union among them. That there would be two Senators to be chosen this session, as Mr. Foster would certainly resign, and Mr. Mason declines a re-election. That there were *two men to be provided for*, and that measures should be pursued to prevent the excitement of ambition, and of course to produce the leaven of disappointment in a multitude of good men who could have no reasonable pretensions, and whose feelings ought not to be tampered with.

I told him that, concurring entirely with him in the sentiment that something should be done to obtain united action and exertion, this was an occasion upon which I could do no more than say that I would cordially assist on my part in supporting or promoting the election of any one or two men, other than myself, upon whom they would agree. Here this matter rested.

The House of Representatives last Saturday assigned to-morrow, twelve o'clock, to make choice of the Senator for six years, instead of Mr. Mason, whose term expires on the 4th of March. The Centinel and Palladium published that the time assigned was next *Saturday*. Mr. Russell, of Boston, moved this day in the House to postpone the choice until next Tuesday. Mr. Otis argued in favor of the postponement. The vote passed, but was afterwards reconsidered, and the original time again assigned, for to-morrow, twelve o'clock. This hurrying on is occasioned by a coalition of the Jacobin party (so called) with the *Junto*, who expect to carry Mr. Pickering for the six years, and then to start another candidate, if Mr. Foster should resign.

3d. The business in Senate this forenoon was of little conse-

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quence—no bills of general interest being before them. About one o'clock Mr. Otis came up from the House with a message; that the House had proceeded to the choice of a Senator in the Congress of the United States, in the room of Jonathan Mason, whose time of service expires on the 4th of March next; and that, on the ballots being taken, it appeared that John Quincy Adams had a majority of the whole number. The Senate assigned next Tuesday, twelve o'clock, to act upon this choice, and a nomination list in the mean time to be put up. Mr. Pickman immediately put my name upon the nomination list, and the name of Timothy Pickering was immediately after inserted—I know not by whom.

Before the choice made in the House of Representatives, Mr. Pickman told me that as there would certainly be two vacancies in the Senate of the United States, he wished that Mr. Pickering and myself might be chosen to fill them. But one of the places being for the whole six years, and the other only a remnant, he thought Mr. Pickering's age, and the cruel persecutions of calumny which he had suffered, gave him the right to the first choice. He thought him an honest and an able man, though of an unaccommodating and too assuming temper. His volunteering an answer to an address from Princess Anne County, instead of laying the address before the President, had always struck him as a very improper thing. He asked me whether the difference between Mr. Pickering and my father would have such influence on me as to make me unwilling to sit in the same House with him. I told him I had no personal resentment against Mr. Pickering whatever; and, far from wishing to exclude him, I would cordially give my vote for him, and for any other man upon whom the federalists would agree. He then said that he had made up his mind not to be active at all in the election, but to vote for the person whom the House should send up, provided he should think him a suitable person. And he added that he most sincerely wished Mr. Pickering had not suffered his name to be put up.

There were four trials in the House before the choice was made. The candidates and the number of votes at the several trials were as follows:

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	First trial, 169.	Second trial, 170.	Third trial, 171.	Fourth trial, 171.
Timothy Pickering,	67	79	33	6
Tompson J. Skinner,	71	71	71	70
Nicholas Tillinghast,	12	9	10	9
Henry Knox,	7	5	1	...
Samuel Dexter,	1	...	...	...
Justin Ely,	1	...	...	...
John Quincy Adams,	10	6	56	86

The reason of the election's taking such an extraordinary turn, I am told, was this. A caucus of about twenty members was held last evening at Mr. Russell's house. They could not agree together upon supporting Mr. Pickering or me; each being proposed and urged by several persons. At length it was agreed, by way of compromise, that Mr. Pickering should have the first chance of two trials, and if his election could not then be carried, they would unite for me. This agreement was but very imperfectly complied with at the third trial. At the two first and the fourth it was executed as faithfully as such things ever can be. At the caucus Mr. Lowell and Mr. Otis were warm partisans for Mr. *Pickering*. Of Lowell I could expect no less, nor indeed of Otis—for he has, of his own accord, told me several times that, as Mr. Mason would certainly decline a re-election, he, the said *Otis*, meant to use all his endeavors to get ME chosen in his stead. How could I possibly imagine, then, that Otis would propose or support any man but Pickering?

4th. The business transacted in the Senate was not very important. After we had adjourned, Otis took me into one of the lobbies to talk with me upon the subject of the application for a new bank in the town of Boston. He said I had no conception of the interest and agitation which this affair had excited; that the application embraced a great multitude of the most respectable persons in this town, and almost the whole commercial interest; that it appeared to be an opinion among them that it depended entirely upon me, and he had heard I had objections against the plan, which he wished to remove if possible. He understood the committee had required the subscription paper, to ascertain the names of the persons concerned and the amount of their subscriptions. He made no

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hesitation to avow that he was interested in it; he had never concealed it, and never wished to conceal it; but at the same time he did not wish to have his name appear, to be animadverted upon by every member of the Legislature, and by the public abroad. That he would tell me exactly how the plan was formed. The establishment of a new bank in this town had been talked of these two or three years; but lately about twenty gentlemen met together, and, projecting to unite all the great and respectable interests in the town, had chosen a committee from among themselves to offer the subscriptions round to every gentleman of respectable character, and to *apportion* the amount which each person should be allowed to subscribe. That no individual subscriber was to take more than fifty shares, *excepting the original* projectors themselves. That the two insurance offices were to have two thousand shares each, but were to give up five hundred shares apiece, *if such shares should be found necessary* for any unforeseen demand; and that one thousand shares should be *reserved*, to be taken by the twenty original projectors among themselves, for their extraordinary trouble and attention. The fact was that if the plan should be defeated it would be solely owing to the *liberality* with which it was undertaken. If it should be defeated, the Jacobins would undertake and carry through a bank of their own, of which they had even matured a project. That had subsided only in consequence of the bank now proposed, for when Dr. Jarvis was applied to to subscribe this application he refused, alleging that he had already signed another application. Finally, his principal object in thus talking with me was to say that there could be no necessity for having a subscription paper containing the names of the parties interested bandied about in public.

I told him I was sensible how deep, how large, and how powerful an interest was combined in the pursuit of this object; that, so far from contending against such a respectable weight of influence, it would be my strongest wish to comply with and promote every thing they should desire, so far as might be consistent with my duty; that the committee on which I sat were equally divided—two being for giving leave to bring

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in a bill without limitation, and two absolutely against it; that so far the question depended upon me. But it had been rumored abroad that in forming the capital of this bank a certain number of shares was *reserved*, to be distributed among the members of the Legislature; and this was a species of influence so dishonorable to the Legislature itself, that I considered it indispensable to remove as far as could be the possibility of such a suspicion; that in consequence of this I had suggested, and the committee had adopted, the idea of calling for the subscription paper. But I presumed there would be no necessity for making it public.

At half-past three in the afternoon the committee met again; but Mr. Treadwell, the Chairman, was not present. Mr. Higginson, Mr. Lyman, and Mr. Lloyd again came, and urged further arguments to recommend their plan and to remove objections. They produced their subscription paper; but, as the committee thought no *reservation* ought to remain unappropriated, they took back the paper to have it filled up. The committee agreed to give them leave to bring in a bill—but with condition that some clause should be introduced to indemnify the Commonwealth for the loss it will sustain upon its Union Bank shares, and that the specie for the vaults of the new bank shall not be drawn from any bank incorporated by the Commonwealth.

7th. Mr. James Lloyd called and conversed with me on the subject of the proposed bank. He was very desirous that I should give it not only my vote, but my support. I stated my objections, and my intentions, particularly of proposing a general subscription, to which he strongly objected. I find it a subject of no small difficulty how to conduct myself upon this occasion.

8th. The Senate was occupied in discussing several bills and motions until twelve o'clock—the time assigned for the choice of a Senator in Congress for six years after the 4th of March next. The number of votes was twenty-six (of course I did not vote at all). There were nineteen votes for John Quincy Adams, and seven for Tompson J. Skinner. The federal side of the House, therefore, was unanimous to concur in the choice made by the House.

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10th. The principal business before the Senate was the reported address for the removal of the two Judges of the Sessions and Common Pleas, which was carried by yeas and nays—fourteen to ten. I wrote a dissent, which I requested might be entered upon the Journals. The subject was postponed until to-morrow.

12th. My protest against the address was taken up, but not decided on, the subject being still before the House of Representatives.

March 3d. The Boston Bank bill, on the question of enactment, had a sharp contest again this day in both Houses. A vote against it passed in the House of Representatives, but was afterwards reconsidered. In the Senate, the yeas and nays were fourteen for the bill, and twelve against it.

4th. My reasons for dissenting from the address to remove the two Eastern Judges were taken up, and leave was given by a small majority to enter them upon the Journals. The President took a part rather too decided against me on this question, as, indeed, he has done upon every considerable question but one which I have brought forward in both sessions of the Legislature. I can trace the source of his opposition. The cause is irremovable. The day commences the Congressional year, and last evening I took the sense of the Senate on the question whether those of us who are elected to serve in the Congress now to ensue may retain or vacate their seats here. They determined that it had been settled, ten years ago, in the cases of Mr. Cobb and Mr. Coffin, that the seats here are *not* vacated, as no man is a member of Congress until duly qualified and admitted.

DEDHAM, *April* 1st.—We tried the question upon the validity of a will, to the Court—Mr. Parsons and Mr. Dexter against Mr. Ames and me. But we could prove nothing, and the will was established. Just as the judgment of the Court was recording, I received a note from W. Shaw, with information that the house of Bird, Savage and Bird, in London, has failed. I stayed only at dinner with the judges, and immediately after set out to return home. On arriving in town, I received by the mail from New York a circular letter from the

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house of Bird, Savage and Bird, dated 7th February, giving notice of their suspension of payments, with the addition that they would endeavor to get some house to take up my bills upon them; on which, however, I place not the least dependence. The property they have in their hands is my father's; but I must provide for taking the bills up which I had drawn. For this purpose I have no other means than to sell my own property. I called upon Mr. Smith to ask him if he wished to purchase again the house I bought of him, and in which I now live; but he said it would not be convenient. I have never before met so severe a shock in respect to property as this. Passed the evening with the Society; but Mr. Emerson was absent and gave us no exhibition.

2d. This morning I applied to Mr. Jackson, the broker, to sell my Fire and Marine insurance company shares, and those of my father, for the purpose of raising the money to defray the bills which must return upon my hands: he was unable to sell them, however, this day. Mr. Freeman called upon me with one of the bills, that for £400,—protested 12th February,—two days later than the letter of Bird, Savage and Bird to me. So they were unable to procure any house to take them up, and I must expect them all back within a few days. I paid Mr. Freeman for his bill, with all the charges, which are lighter than I can expect they will be upon any of the rest. In the afternoon I wrote to my brother, to prepare him for the return of the bill I sent him last November, and to promise him it shall immediately be paid. I went out to Quincy with Mr. J. Gardner in the evening, and had the task to perform of giving notice to my father and mother of this misfortune. They felt it severely, but bore it with proper firmness and composure. I feel myself in a great degree answerable for this calamity, and, of course, bound to share largely in the loss. The business of drawing the money from Holland[1] was entrusted to me, and I adopted

[1] This was a very severe trial for the moment to both father and son; but it happily passed off without grave consequences. John Adams, when engaged in negotiating loans for the country in Holland, did his best to set an example of confidence by subscribing whatever he could spare of his own means to them. The time of repayment had now come round, and he was at home, but his money

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a method of transacting it which has failed. The error of judgment was mine, and therefore I shall not refuse to share in the suffering.

* * * * * *

October 21st. At eleven this morning I took my seat in the Senate of the United States, after delivering my credential letter to Mr. Otis, the Secretary, and being sworn to support the Constitution of the United States by Mr. John Brown, of Kentucky, who is the President pro tempore, Mr. Burr, the Vice-President, being absent. There was little business done, and the Senate adjourned soon after twelve. Mr. Otis[1] is much alarmed at the prospect of being removed from his office. It has been signified to him this day, that in order to retain it he must have all the printing done by Duane.[2] His compliance may possibly preserve him one session longer. After the Senate adjourned, I went in without the bar of the House of Representatives; but they adjourned immediately afterwards. As I returned home I called at the President's, and, not finding him at home, left a card.

22d. I called this morning at the offices of the Secretary of State and Secretary of the Treasury, but found neither of them

was to be returned to him at Amsterdam. It became necessary to effect the transfer from Amsterdam to London, and thence to Boston. His son undertook the work, through the house of Bird, Savage and Bird, a house which had been trusted by the government of the United States, and, therefore, naturally by him whilst holding official relations in Europe. But the bills which he drew upon them and sold in Boston came back protested for non-payment, with heavy charges, and were to be redeemed at once, whilst the funds realized had been already invested by his father in a large purchase of lands not susceptible of sudden reconversion without serious loss. Hence the necessity imposed upon the son to raise money at once by an immediate sale of his most available property. Much relief was given by the voluntary interposition of friends both in London and in Boston in saving costs on his bills and facilitating their payment; and his father secured him from the risk of loss to the best of his ability. It is proper to add that the bankers in liquidation, in course of time, paid the whole debt; but the last instalment was not received until after the death of John Adams, twenty-three years later.

[1] Samuel Allyne Otis had been Secretary of the Senate since its organization, and remained in office, notwithstanding the change of parties, until his death, in 1814.

[2] William Duane, editor of the *Aurora*, a newspaper printed at Philadelphia, effective in the interest of the ruling party.

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there. Attended in Senate, where the principal business done was upon a resolution offered by Mr. Clinton[1] for designating, in all future elections of President and Vice-President, the persons who are to fill each of these offices. Several amendments were offered to this resolution, which was finally committed to a select committee of five. It was near three o'clock when the adjournment took place.

23d. There is no church of any denomination in this city; but religious service is usually performed on Sundays at the Treasury office and at the Capitol. I went both forenoon and afternoon to the Treasury, but found there was this day no preaching there, on account of the indisposition of Mr. Laurie. The two Senators from Delaware, Messrs. Wells and White, and Mr. Huger, a member of the House of Representatives from South Carolina, called upon me this morning.

24th. Called at the Secretary of State's office this morning, and had some conversation with him relative to the settlement of my accounts during my residence abroad in the public service. But he still makes difficulties beyond what I conceive to be reasonable or proper. Called also on the Secretary of the Treasury; but he was not at his office. Attended in Senate. The day was spent in debate upon the proposed amendment of the Constitution respecting the election of President and Vice-President. No decision was had. Some warm expressions passed between Mr. Clinton and Mr. Dayton. Dined with Mr. Cranch,[2] who informed me that he was about publishing a volume of Reports of cases adjudged by the Supreme Court of the United States in this city. Returning home, I stopped at the Post office and left a specimen of my signature, as required by law, for the purpose of franking my letters. The clerks told me it was unnecessary, as that direction of the law was almost universally neglected—that only one member of Congress had complied with it this session. I left, however,

[1] De Witt Clinton, afterwards Governor of New York, and still remembered as one of the most eminent statesmen of his time.

[2] William Cranch, a cousin of the author, as well as a classmate at Cambridge, afterwards for many years Chief Justice of the Circuit Court of the District of Columbia. He will be longest remembered through the work referred to in the text.

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my signature, and thus executed the injunction of the law, so far as respected myself.

25th. I called this morning at the office of the Secretary of the Treasury, but did not find him there. Attended in Senate. Mr. Clinton, who is appointed Mayor of the City of New York, and will be obliged to be sworn in at the beginning of the next month, went away early this morning. He left a handsome written apology for the expressions he used yesterday offensive to Mr. Dayton, which was read by Mr. Wright in his place. Mr. Breckinridge's bill for enabling the President to take possession of Louisiana was debated at the second reading, and is to be read the third time. Mr. Wright informed the Senate that the reason why the decision upon the resolution for amending the Constitution in respect to the election of President was so vehemently pressed was because Mr. Clinton, the mover, wanted to get through with it before he went home. But as other gentlemen wanted time, and the subject was important, he moved it be postponed for further consideration until to-morrow; which was done. He then called up his resolution for coming to a new choice for Secretary and other officers of the Senate. But it was determined by a bare majority not to take up the consideration of this resolution for the present. Adjourned at about one o'clock P.M. I went into the House of Representatives, and heard a Mr. Elliot, from Vermont, for about an hour. Mr. Tracy made me acquainted with Mr. Griswold. Mr. John Smith, the second Senator from the State of Ohio, this day was sworn and took his seat.

26th. Called again at the office of the Secretary of the Treasury, without finding him. Saw the Auditor, and showed him the documents which had been required for the settlement of my accounts. Attended in the Senate. The bill for enabling the President to take possession of Louisiana, and *for other purposes*, passed the third reading—twenty-six yeas, six nays. The objection was to the second section, as unconstitutional. After the bill had passed, Mr. Breckinridge, who introduced it, had the words *for other purposes*, in the title, altered *for the temporary government of the same.* We adjourned about half-past two.

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27th. Attended in Senate, where some private business was done, and the Treaty of Limits with Great Britain[1] was read the second time. Mr. Wright called up his resolution for a Secretary and other officers of the Senate; but a motion to postpone the consideration of the resolution until the first Monday in October next prevailed. The votes were seventeen to thirteen. Adjourned quite early. I went into the House of Representatives, and heard the debate there on the bill which yesterday passed the Senate. The principal speakers were Messrs. Griswold, Eustis, J. Randolph, Eppes, Rodney, and Elliot.

28th. I called at the Secretary of State's office, to give him a letter for Mr. Randolph. Spoke to him also for a copy of Laws and Journals for the Historical Society. I asked him whether the Executive had made any arrangements with any members of either House to bring forward the proposal for an amendment to the Constitution to carry through the Louisiana Treaty; that if any such arrangement was made, I should wait quietly until it should be produced; but if not, I should think it my duty to move for such an amendment. He said he did not know that it was universally agreed that it required an amendment of the Constitution. But for his own part, had he been on the floor of Congress, he should have seen no difficulty in acknowledging that the Constitution had not provided for such a case as this; that it must be estimated by the magnitude of the object, and that those who had agreed to it must rely upon the candor of their country for justification. To all of which I agreed, but urged the necessity of removing as speedily as possible all question on this subject; to which he readily assented. He said he did not know that any arrangement had been made; that probably, when the objects of immediate pressure were gone through, it would be attended to, and *if he should have any agency* in concerting the measure, he would request the gentleman who might propose it to consult

[1] On the 24th of the month the President sent to the Senate a message transmitting a convention negotiated by Mr. King, the Minister at London, with Great Britain, for settling the boundaries in the northeastern and northwestern parts of the United States.

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previously with me. Attended in Senate. Mr. Butler's resolution for a *further* negotiation with France, under consideration, debated until past three P.M., when we adjourned.

29th. In Senate. The debate was upon the bill to enable the President to take possession of Louisiana, &c., which comes back from the House with amendments to the second section. I moved an amendment to the last amendment from the House, by an addition of the words "consistently with the Constitution of the United States." But it was objected, that this was not in order, my proposed amendment referring not to the amendment from the House, but to the original section of the bill, upon which this House, having already acted, could not now act again. The President so decided, but requested the sense of the House, which confirmed his decision. The amendments were all rejected, and a committee of conference appointed. The House of Representatives insisted. The conferees met, and agreed that the Senate should recede from their disagreement to the amendments from the House, and agree to the same with a further amendment. When our conferees came in, the Senate agreed to that part of the report which proposed to recede, but disagreed to the additional amendment of their own conferees. So the bill passed as amended in the House of Representatives. It was observed as a rule, and on all sides recognized, that the Speaker of the House and President of the Senate could not sign an enrolled bill but while those bodies are respectively in session.

30th. Attended public service at the Capitol, where Mr. Rattoon, an Episcopalian clergyman from Baltimore, preached a sermon. I afterwards called on Messrs. Wells and White, the Senators from Delaware, but did not find them at their lodgings. Visited also Mr. Amory and Mr. Pickering, with whom I found a number of the Connecticut and Massachusetts members of Congress.

31st. In Senate. Mr. Breckinridge introduced a resolution to wear crape a month for the three illustrious patriots, Samuel Adams, Edmund Pendleton, and Stevens Thompson Mason. I asked for the constitutional authority of the Senate to enjoin upon its members this act; and he referred to the manual, that

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such a regulation was merely conventional and not binding upon the members. I then objected against it as improper in itself, tending to unsuitable discussions of character, and to an employment of the Senate's time in debates altogether foreign to the subjects which properly belong to them. This led to a debate of three hours, in the course of which the resolution was divided into two—one for Mr. Mason, as a matter of form and of course, to a member of the Senate holding the office at the time of his decease; the other for the two other illustrious patriots. The first was unanimously agreed to; the last by a majority of twenty-one to ten. A message from the President, with several Indian Treaties, was then read, and the Treaty of Limits with Great Britain taken up as in committee of the whole. Mr. Butler proposed an alteration in the fifth article, and Mr. S. Smith intimated that since the ratification of the Louisiana Treaty this one must not be ratified at all. Adjourned at half-past three. I walked with Mr. Wells as far as the President's house, where he, with several others of the Senators, dined.

Day. From the 1st to the 20th of this month we were upon our journey from Quincy to Washington, with the customary irregularity of travelling. Here my mode of life is more uniform. I rise at about seven; write in my own chamber until nine; breakfast; dress; and soon after ten begin my walk to the Capitol. The distance is two miles and a half, and takes me forty-five minutes. I get there soon after eleven, and usually find the Senate assembled. We sit until two or three, and when the adjournment is earlier I go in and hear the debates in the House of Representatives. Home at four; dine, and pass the evening idly with George[1] in my chamber, or with the ladies. They sup between nine and ten. At eleven is the hour for bed. This great change in the arrangement of my daily occupations and manner of living has affected my health in some degree, and the interest with which my mind seizes hold of the public business is greater than suits my comfort or can answer any sort of public utility.

[1] His son, at this time three years old.

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November 1st. In Senate. The subject debated was upon the second reading of one of the bills creating the stock for the payments required by the Louisiana Treaty. A proviso at the close of the first section appeared to me to sanction a departure from the terms of the Convention, and, to remove the possibility of any such imputation in future, I moved to insert the words, "with the assent of the French Government." Mr. Taylor, of Virginia, moved another amendment to the same proviso. They lie over for consideration to-morrow. But Mr. Wright was against every amendment that could possibly be proposed to the bill, because it was drawn up by the Secretary of the Treasury, who could better legislate for us on this subject than we can do congressionally. What will become of Mr. Taylor's amendment I know not. Mine will certainly not pass; and, indeed, I have already seen enough to ascertain that no amendments of my proposing will obtain in the Senate as now filled. Nor was this state of things at all unexpected to me. The qualities of mind most peculiarly called for under it are firmness, perseverance, patience, coolness, and forbearance. The prospect is not promising; yet the part to act may be as honorably performed as if success could attend it. We adjourned soon after two.

2d. The debate on the bill creating 11,250,000 dollars of six per cent. stock was continued, and an amendment comprising Mr. Taylor's proposed amendment and mine finally agreed to. Mr. Wright explained away what he said yesterday about the Secretary of the Treasury's drawing up the bill, &c. It passed to the third reading, after the rejection of a motion from Mr. Wright to postpone the subject until the second Monday in December, to know whether the possession of New Orleans will be given. The other bill providing for the payment of the claims, four millions, passed the third reading. Adjourned half-past two. Read this evening to the ladies a new play of Colman's—"John Bull, or the Englishman's Fireside."

3d. Had a very long debate in Senate on the passage of the act creating eleven millions of stock. The question was finally taken by yeas and nays—twenty-six yeas, five nays. I voted in favor of this bill. Read part of a play this evening

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to the ladies—"The Marriage Promise." But it was so bad I could not finish it.

4th. In Senate. Debate upon the Convention of Limits with Great Britain, dated 12th May last. Mr. Butler withdrew his motion for an amendment. Mr. Wright urged the objection, on account of the possible interference between this Treaty and that containing the cession of Louisiana. Subject further postponed until next Monday. Mr. Butler's proposed resolution for a new negotiation with France was resumed and negatived. He then called up the resolution passed by the House of Representatives relative to the future elections of President and Vice-President, and, the majority manifesting an aversion to taking it up, he called upon them for their reasons. When the subject was before the Senate before, he said, they were for hurrying the measure with extreme precipitation; it was with the utmost difficulty that he could obtain one day for consideration. He wished to know the reasons why that excessive haste had now given place to the indifference and studied delay of the present time. He meant therefore to call it up every day, and demand the yeas and nays every time he should call it up, until some reason should be given for the neglect it now meets with. He was only answered, that every gentleman had his own reasons for voting as he pleased, and was not obliged to give them. A large majority determined against taking it up. The reason is that they could not carry the vote by the constitutional majority now; and wait for the arrival of the member from New York, who will come instead of Mr. Clinton, the return of Mr. S. Smith, who is absent, and the arrival of General Sumpter from South Carolina. Adjourned at two, to Monday morning. The editor of the National Intelligencer, S. H. Smith, came to me and desired me to give him the substance of what I said on the debate yesterday, for publication, as other gentlemen on both sides of the question had promised him they would. I agreed to furnish him with it.[1]

5th. Detained at home the whole day by rain. Read the document and correspondence sent to the Senate with the

[1] This speech is found in Benton's Abridgment of the Debates of Congress, vol. iii. p. 18.

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Louisiana Treaty. Mr. Pichon called and visited me this morning, and Mr. Madison, just before dinner. Pichon appears to be surprised at the opposition raised by Spain against this cession, and feels some irritation with the Marquis de Casa Yrujo, the Spanish Minister here, who, he thinks, in his letters to his Government, stimulates their jealousies against the United States.

7th. In Senate. Met Mr. Tracy and Mr. Baldwin, on a committee to whom was referred a bill making an appropriation of fifty thousand dollars to carry into effect the seventh article of the Treaty with Great Britain of November, 1794. Postponed the report to consult the Secretary of the Treasury on a question occurring from the bill. No business of consequence was done in Senate, and they adjourned early, until Thursday, to give time for the workmen to repair the ceiling, which is ruinous. Another motive, not mentioned, might be, that the annual horse races of the city are held this week. After the adjournment, I called upon the Secretary of the Treasury, and consulted with him on the Appropriation bill; upon which he gave me the information desired. I also conversed with him respecting the settlement of my accounts, in which I presume all the difficulties are now removed. I called at the Auditor's office, but he was not there. Dined, with my wife, at the President's. The company were seventeen in number: Mr. Madison, his lady, and her sister, Mr. Wright and his two daughters, and Miss Gray, Mr. Butler, and General McPherson of Philadelphia, were there; also Mr. Eppes and Mr. Randolph, Mr. Jefferson's two sons-in-law and both members of the House of Representatives. After dinner Mr. Macon, the Speaker of the House, and Mr. John Randolph and Mr. Venable, came in. We came home at about six.

8th. I called this morning and paid a visit to Mr. Butler, Senator from South Carolina, whom I found with his three daughters. Mr. Anderson, of Tennessee, was also there. Went afterwards with my wife to the races. We went soon after eleven o'clock, and waited nearly three hours before they began. In less than an hour they were over, and we returned home to dinner. I have never seen regular horse races before.

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14th. In Senate, where we had a very warm debate on the question for taking up the resolution for an amendment of the Constitution. The motion was negatived, and the reason finally avowed. It was some time after three when the adjournment took place.

15th. In Senate. Executive business. The Convention of Limits with England committed to a select committee.[1] Four Indian Treaties. Mr. Breckinridge offered a resolution for their ratification. Nominations acted upon—some postponed. Adjourned after two.

17th. Met Mr. John Smith, of Ohio, and walked with him to the Senate chamber. The Senate did but little business, and adjourned early. I called upon the Auditor at the Treasury to see if he was ready with my accounts, but he was not. Called also on Mr. Madison, who does not approve the resolution for the conditional ratification of the Treaty. Mr. Nicholas had been with him.

18th. Attended in Senate. Bill for declaring war against the Emperor of Morocco. Mr. Dayton moved it should be read a second time on this day. Unanimous consent was necessary, and I alone objected. My principle was, that a declaration of war was the last thing in the world to be made with *unusual* precipitation. Executive business. The whole day spent in a debate about Abraham Bishop. Adjourned after three o'clock. Evening at home. I am reading the Federalist.

21st. In Senate. On a bill from the House of Representatives, equivalent to a declaration of war against the Emperor of Morocco, Mr. Wright moved the addition of a clause recognizing the principle that free ships make free goods; which was debated until almost three o'clock, when the Senate adjourned. Took from the library the first volume of Raynal's History of the East and West Indies, of which I read the Introduction to the ladies in the evening.

22d. In Senate. Mr. Wright made a speech of one hour long upon the question discussed yesterday, concerning his amendment. His colleague, Mr. S. Smith, suggested the ne-

[1] The members of the committee were Mr. Adams, Mr. Nicholas, and Mr. Wright.

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cessity of some other amendments to the bill; upon which it was committed to Mr. S. Smith, Mr. Jackson, and myself. The resolutions for amending the Constitution were taken up. Mr. Dayton made his motion for abolishing the office of Vice-President. Mr. Taylor argued from the words in the Constitution, that amendments may be adopted *whenever* two-thirds of both Houses agree to them. A question was made by Mr. Bradley, whether incidental questions upon alterations in proposed amendments to the Constitution must be decided by two-thirds, or only by a majority. The President doubted. Precedents were looked for, and the subject postponed. Executive business. Several nominations confirmed; one, among the rest, of a man stated by Mr. Franklin to be dead—Nicholas Fitzhugh, nominated as one of the Judges for the District of Columbia, instead of James Marshall, resigned.

23d. In Senate. Met General Smith and General Jackson in committee before the Senate assembled. We agreed to report several sections proposed by General Smith, and disagreed to the amendment proposed. The report was made, and is to be printed. Debated the proposed amendment to the Constitution, on a question of order, until the adjournment, after three o'clock.[1]

24th. In Senate. I went rather late, and found them on the debate for the Constitutional amendment, which continued until past three. The question upon an incidental point, not material to the main principle. Debates warm. Read to the ladies in the evening.

25th. The debate on the Constitutional question was postponed, on account of Mr. Anderson's absence. The bill for hostilities against Morocco passed to the third reading. Sundry other business of less importance. After the adjournment, met Mr. Nicholas and Mr. Wright in the Committee on the Treaty of Limits with Great Britain. They directed me to report a postponement to the 20th of February.[2] I called this morning

[1] See Benton's Abridgment, vol. iii. p. 21. Mr. Dayton seems to have been dissatisfied with the vote of Mr. Adams in favor of the amendment.

[2] This direction does not seem to have been followed. See the entries on the 21st and 28th of December, on which last day Mr. Adams made a report.

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on Mr. Madison, and had some conversation with him. I laid a motion on the table for the appointment of a committee to inquire into the necessity of further measures to carry into effect the Louisiana Treaty.

28th. In Senate. The amendment to the Constitution was again postponed on account of Mr. Anderson's absence. He is unwell. Mr. Wright gave up his amendment to the Morocco bill. He laid a resolution on the table for appointing a committee to make a form or forms of government for Louisiana.

29th. Bankrupt Law at the second reading. Motion to commit rejected. Made the order of the day to-morrow. Had up the proposed amendment to the Constitution. I called for the yeas and nays on the question for three or five.[1] Spoke in favor of five and against three—in vain. For five, yeas twelve, nays nineteen. For three, yeas twenty-one, nays ten. Adjourned about four.

30th. Mr. Taylor determined to take the final question on the amendment this day, as Mr. Condit is obliged to go away to-morrow. But, after debating until four o'clock, it was found impossible. Mr. Condit agreed to stay to-morrow, and the question is adjourned until then.

December 1st. The debate on the Constitutional amendment was again resumed. A new proposition to provide for the case of a non-election by the House of Representatives was made, and occasioned a variety of motions and discussions until the adjournment. The ladies took me home. They had been to hear the debate. The final question was still postponed. Mr. Condit was absent from his seat, his daughter being dead, so that he will probably not go.

2d. In Senate from eleven this morning until almost ten at night, when the question on the proposed amendment to the

[1] The disputed provision in this case was that, in the event of a failure to elect a President by a majority of the electors, the House of Representatives should choose one from the persons having the highest number of votes, not exceeding *three*. The motion was to strike out the number *three* and insert five. Mr. Adams argued and voted in favor of five. On the other hand, his colleague, Mr. Pickering, argued and voted for three. It may be remarked that in the only case of an election under this clause of the Constitution the success of Mr. Adams himself was materially promoted by the operation of the restricted number which he opposed.

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Constitution was taken and carried—twenty-two yeas and ten nays, among which was my vote. Several good speeches were made by the members in the minority. That by Mr. Tracy was peculiarly excellent. On the other hand, Mr. Taylor's was unquestionably[1] the best. It was almost eleven when I got home, having fasted the whole day.

4th. Visited Mr. Lincoln, the Attorney-General, and Mr. Tracy, with whom I had some particular conversation. Mr. Griswold came in, and I unwisely continued the conversation. Detained Mr. Tracy from his dinner.

My self-examination this night gave rise to many mortifying reflections. This practice—to which I have long accustomed myself, in compliance with an ancient rule—is itself not so satisfactory as in theory it appears. Of the errors, imprudences, and follies which reflection discovers to me in my own conduct I do not correct myself by the discovery. Pride and self-conceit and presumption lie so deep in my natural character, that, when their deformity betrays them, they run through all the changes of Proteus, to disguise themselves to my own heart. I often see and often condemn my faults. But for the efficacy of correction I am afraid some penalty is necessary. Voluntary penance is excluded from our system of morality, as a superstitious practice, and I have never tried it. Yet to render self-examination of much use, I believe it necessary.

5th. Returned the visit of Mr. Merry, the British Minister, who has just arrived. He was not at home. In Senate, which was thinner than it has been heretofore. The great question being decided, many of the members think they may now indulge themselves in some relaxation. Mr. Tracy made a motion for a committee to report amendments to the Bankrupt Law, instead of repealing it. This prevented the repeal from passing this day to the third reading. Mr. Wright's motion for appointing a committee to make a form or forms of government for Louisiana was considered. I opposed the appointment of such a committee, on the ground that we ought to make no form of government for them without consulting the people, and without knowing something more of them. The

[1] See Benton's Abridgment, vol. iii. pp. 27–37.

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committee, however, was appointed,—five members. Mr. Butler laid on the table a motion for a rule of order respecting reconsiderations. Senate rose about three. I called at Stella's to see Mr. W. Smith, late Minister at Lisbon, who has just returned from Europe; but he was not at his lodgings. I had a short conversation with Mr. Tracy. I took again this day too much part in the debate. I *must* check myself, or become worse than ridiculous.

6th. The bill for repealing the Bankrupt Law was made the order of the day for to-morrow. Bill for establishing the salaries of the executive officers had the second reading. Indiana Territory bill passed. The Senate adjourned early. I went into the House of Representatives, where they debated, on the proposed amendment to the Constitution, the question whether two-thirds of the members present, being a quorum to do business, are competent to propose amendments, or whether it does not require two-thirds of the whole number. Decided that two-thirds of the members present are sufficient.

7th. Mr. Burr, the Vice-President of the United States, attended, and took the chair, as President of the Senate. General Armstrong, appointed by the Governor of New York a Senator instead of De Witt Clinton, also took his seat. All the business before the Senate was postponed, and a very early adjournment took place. I went into the House of Representatives, and heard a debate on the proposed amendment of the Constitution, until past four o'clock; left the House still engaged upon it. They sat until nine in the evening, and did not take the final question.

8th. Mr. Tracy has not attended in Senate these two days. The debate this day was on the repeal of the Bankrupt Law. Continued until four o'clock, when an adjournment took place without coming to a decision. Several amendments were attempted, to prevent the decision on the question of absolute repeal; but all were rejected. This morning at ten the committee to prepare forms of government for Louisiana were to have met; but three out of five were too late. We are to meet to-morrow.

9th. Met the committee to prepare a form or forms of gov-

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ernment for Louisiana—Mr. Breckinridge, Chairman, Mr. Baldwin, and Mr. Wright (Mr. Jackson, the other member of the committee, was absent from illness). We had some conversation on the subject. Mr. Breckinridge had a form of government ready prepared. My ideas are so different from those entertained by the committee, that I have nothing to do but to make fruitless opposition. In Senate the repeal of the Bankrupt Law was passed to a third reading. My motion for a committee to inquire and report further measures to carry into effect the Louisiana Treaty was considered and rejected. Mr. Pickering and Mr. Hillhouse only supported it. The Constitutional amendment passed this day the House of Representatives.

10th. I called this morning at the Secretary of State's office, and had some conversation with Mr. Wagner. Among other things, he read me Mr. Marbois' project for the Louisiana Treaty, and told me there had been addresses from some inhabitants of Louisiana, soliciting the Government of the United States to take possession of that country before the Treaty was made.

12th. At the Senate, Mr. Butler's proposed amendment to the Constitution was rejected. The yeas four, nays twenty-seven. That which has passed both Houses came enrolled, with a resolution requesting the President to transmit copies of it to the executives of the several States to be laid before the several legislatures. Mr. Tracy moved that the amendment should be sent to the President for his signature. This was rejected. Yeas seven, nays twenty-four. The order requesting the President to transmit the copies was then passed. Adjourned half-past three.

13th. We had another debate this morning concerning seventeen copies of the amendment to the Constitution; and a letter from the Secretary of the Senate to defend himself against an outrageous and totally unjustifiable insult offered him yesterday in debate by Mr. Wright. Afterwards the bill to repeal the Bankrupt Act was read the third time, and passed. Yeas seventeen, nays twelve. Mr. Venable, a Senator from Virginia, in the room of Mr. Taylor, produced his credentials and took his seat and the oath.

14th. The principal business this day was a debate upon a

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bill for fixing the salaries of certain officers in the executive departments. Those of the Postmaster-General and his assistant were raised. One or two other bills of minor importance were read the third time and passed. Adjourned at three. I went into the House of Representatives, where they were debating on a bill to abolish the Commissioners of Loans. Dr. Eustis spoke, and Mr. J. Randolph, Jr.

15th. The two Senators from the State of Ohio were classed. Mr. Worthington drew a lot for four years, and Mr. Smith a lot for six. The Salary bill was read the third time and passed. The question negatived yesterday was again debated and rejected. On executive business several nominations to offices were confirmed. Adjourned between two and three.

16th. There was very little business for the Senate to do, and they adjourned early, after appointing several committees. I went into the House of Representatives, where they were debating in committee of the whole a bill to introduce our revenue system into Louisiana. It passed in the committee, and in the House, at the second reading. I understand no opposition is intended against it. So at least Mr. Huger told me. Senate adjourned to Monday.

17th. Mr. Breckinridge appointed a meeting of the Louisiana Government Committee for ten o'clock this morning. The members all met accordingly, excepting Mr. Wright. The subject was discussed until almost two o'clock. The majority agreed upon several principles, on which the chairman is to draw up his bill. My objections were and will be of no avail. Paid a visit to the Vice-President, who was not at home.

19th. The principal debate of this day was on a motion of Mr. Wright for a rule of order allowing every member of the Senate to introduce his friends upon the floor of the House. It was finally rejected.

20th. Going to the Senate this morning, the Vice-President[1] in his carriage overtook me, and offered me a seat, which I accepted. He inquired after my father, and spoke of his *social* intimacy with him when he was a Senator and my father Vice-President. The Senate had little business before them, and

[1] Aaron Burr.

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soon adjourned. Mr. and Mrs. Huger and Mr. Purviance, a member of Congress from North Carolina, passed the evening with us. Snow.

21st. Of the committee appointed to inquire and report on the Treaty of Limits with Great Britain, Mr. Nicholas is absent, and Mr. Wright and myself could not agree upon a report. I moved that the committee should be discharged; which, after debate, was rejected, and Mr. Venable added to the committee in the room of Mr. Nicholas. A message was received from the President, containing a long correspondence between Mr. Pinckney and the Spanish Government, the reading of which took more than two hours. Adjourned after three. I rode to the Capitol with the ladies, who were visiting. Received there the news of the death of my excellent friend William Vans Murray, one of the dearest and oldest friends I had.[1]

22d. The Salary bill was returned to us from the House of Representatives, as I expected, with the amendments disagreed to. The Senate insisted and appointed conferees. I think they will finally be compelled to recede. Second reading of a bill for punishing the crime of destroying ships. It was recommitted, and two additional members put on the committee. Mr. Bradley offered a resolution respecting the Spanish Convention. To lie for consideration. A resolution was moved by Mr. S. Smith to adjourn from to-morrow until Monday, 2d January, 1804. On the vote, twelve for, twelve against the resolution, the Vice-President decided against it. Mr. Tracy gave notice he should renew the motion to-morrow.

23d. Mr. Tracy renewed in Senate the motion to adjourn till 2d January next, which was rejected by yeas and nays, eleven and nine. The Louisiana Revenue bill was reported with amendments by the select committee. Mr. Venable and Mr. Wright, on the English Treaty Committee with me, could not agree between themselves, nor either of them with me. The

[1] Mr. Murray served in the House of Representatives of the United States in the Second, Third, and Fourth Congresses. He was then appointed by President Washington to succeed Mr. Adams as Minister Resident at the Hague, and subsequently was made, by President John Adams, one of the three Envoys in the mission to France in 1800, which brought to a happy termination the misunderstanding with that country.

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committee are to meet again next Tuesday. I got almost soaked through on returning home from the Senate—which made me so late that we found them at dinner at the President's. Mr. R. Smith and lady, Mr. Wright and his daughters, Mr., Mrs., and Miss McCreery, Mr. and Mrs. Livingston, were there.

24th. Attended the Louisiana Government Committee, who were all assembled, and who had three projects before them —one, Mr. Breckinridge's; one, General Jackson's; and one, Mr. Wright's. The committee came to no final determination, and are to meet again on Monday.

28th. In the Senate, I finally made a report from the Committee on the Treaty with England, which was made the order for to-morrow. The Vice-President attended, and explained the occasion of his absence yesterday. He was returning from Annapolis, and was delayed by the swelling of the waters of the Patuxent. It was from thence that he sent by express the apology which was read yesterday. Nothing of consequence was transacted.

29th. I returned visits to Governor St. Clair, at Georgetown, who called on me two or three days since, and to Mr. Thatcher, on the Capitol Hill. In Senate, the first amendment to the Louisiana Revenue bill was read and discussed; but the question was not taken upon it. Walking home, I was overtaken by Mr. Eppes,[1] who has been ten days absent. The conferees of the two Houses on the Salary bill could not agree; both Houses adhered to their intentions, and the bill was lost. Mr. and Mrs. Pichon spent the evening here.

30th. The Senate debated again the amendments reported by the committee to the Louisiana Revenue bill, but without taking the question upon the first, and those connected with it. The other committee to prepare forms of government likewise met and agreed upon a report, which was made to the House and read for the first time. Adjourned at three. In the evening I went with my wife to Mr. Robert Smith's, where there

[1] Mr. Eppes had married a daughter of President Jefferson. He was a member of the House of Representatives in the Seventh, Eighth, Ninth, Tenth, and Twelfth Congresses, and a Senator in 1817–1819. He died in 1823.

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was a ball. The company large. I played chess with General Dayton, who beat me, and with Mr. Madison.

31st. *Day.* Differs only from that of the last month by a greater frequency of dining and passing evenings abroad.

The year now closing has been made remarkable as a part of my life, by one very unfortunate occurrence, and by several events which call for gratitude to an overruling Providence.

The failure of a commercial house in London, with which I had deposited a considerable part of my father's property, brought upon him a loss which is more distressing to me than to himself. It put me to great inconvenience to make the provisions to supply the chasm created by this circumstance; but its effects in diminishing the comforts of my father's age have been among the most painful things that ever happened to me. I have in some degree shared in the loss, and have done all in my power to alleviate its evils to him. But it has been and remains a continual source of uneasiness to me; nor have I any prospect that it will ever be removed. In the disposal of my property, however, to meet the necessities which arose from the protest and return of the bills I had drawn on the house, I met with several facilities and advantages which I had no right to expect. The calamity has fallen the lighter for this, and my own property has remained nearly in its former state. In my family I have been highly favored by the birth of a second son, and the unusual degree of health which we have all enjoyed. The restoration of my mother, too, from the gates of death, and from a confinement of five months, has filled my heart with the purest of enjoyments. My election as a Senator of the United States, for six years, has been the only important incident of my political career. It has opened to me a scene in some sort though not altogether new, and will probably affect very materially my future situation in life. I have already had occasion to experience, what I had before the fullest reason to expect, the *danger* of adhering to my own principles. The country is so totally given up to the spirit of party, that not to follow blindfold the one or the other is an inexpiable offence. The worst of these parties has the popular torrent in its favor, and uses its triumph with all the unprincipled fury of a faction;

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while the other gnashes its teeth, and is waiting with all the impatience of revenge for the time when its turn may come to oppress and punish by the people's favor. Between both, I see the impossibility of pursuing the dictates of my own conscience without sacrificing every prospect, not merely of advancement, but even of retaining that character and reputation I have enjoyed. Yet my choice is made, and, if I cannot hope to give satisfaction to my country, I am at least determined to have the approbation of my own reflections.

January 3d, 1804. The Senate began seriously the transaction of business again since Christmas. House of Representatives sent a message to announce that they had prepared articles of impeachment[1] and chosen managers to conduct them. Resolved to receive the managers at twelve o'clock tomorrow. Mr. Tracy moved a resolution for the Senate to form itself into a Court of Impeachment, which was finally adopted. Some further progress was made in the Louisiana Revenue bill. Almost four when we adjourned.

4th. In Senate I moved a resolution declaring persons who had voted on impeachments in the House of Representatives disqualified to act in the Senate in the *same* case. Accuser and judge are not, in my opinion, compatible characters. The subject was postponed. The managers from the House received, and the articles of impeachment read. Further order to be taken. In executive business, debated the question on the ratification of the Treaty of Limits with Great Britain, but did not take the question.

5th. The Committee of Arrangements this day moved an adjournment of the Court of Impeachment distinct from that of the Senate; which was carried unanimously. The Court adjourned till Monday next. The Louisiana Revenue bill; after further debate, it was at length agreed to strike out the principle of the first section; but recommitment was refused. General S. Smith made a report, from a committee of which I was a member, and of whose meeting I had never heard. Upon my

[1] Against John Pickering, Judge of the District Court of the United States for New Hampshire. This was the commencement of the formidable attempt of the legislative to control the judicial department of the government.

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stating the fact, he apologized tant bien que mal, took back his report, and notified the committee to meet to-morrow morning at half-past eleven.

6th. Met the committee this morning, but did not get through our business. To meet again to-morrow morning. At last the Senate agreed to recommit the Louisiana Revenue bill to a new committee of five. A bill of a private nature was discussed at the second reading. Amendments proposed by a committee. I took no part in the debate. Tried to bring on the discussion of the Treaty of Limits with England, but without success. After the adjournment I went into the House, where the debate was on a motion for inquiry into the official conduct of Judge Chase and Judge Peters. Mr. Lowndes lent me the late pamphlet in defence of the Vice-President. Read about half of it this evening. Senate adjourned to Monday.

7th. Committee met and agreed upon their report. Curious conversation between S. Smith, Breckinridge, Armstrong, and Baldwin, about "Smith's nephew, the First Consul's brother."[1] Smith swells upon it to very extraordinary dimensions. Called in at the House, where they decided for the Committee of Enquiry,[2] eighty to forty. I went with Mr. Tracy to his chamber, and had a conversation with him upon some resolutions which I propose to offer the Senate. It is another feather against a whirlwind. A desperate and fearful cause in which I have embarked. But I must pursue it, or feel myself either a coward or a traitor. Mr. Tracy approves my purpose, promises his support, and suggested to me some important ideas for the modification of my resolutions. Tea and spent the evening at Mr. Pichon's.[3] Citizen Jerome Bonaparte and his wife there —also the Vice-President, Secretaries, and several Frenchmen. Played chess with one of them, who beat me one game and gave me another. Pichon is profoundly mortified at the

[1] Samuel Smith, whose services, commencing in the Revolutionary War, were continued in the two Houses of Congress for thirty years. Jerome Bonaparte had married his niece, Miss Patterson.

[2] In the case of Judge Chase.

[3] Mr. Pichon was at this time acting as Chargé d'Affaires of the French Republic.

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marriage of Jerome. He says it is impossible the First Consul should put up with it—'tis a marriage against many laws, many usages, many opinions, and many prejudices, personal, official, and national, of the First Consul. Jerome is not of age; he is an officer; he is the First Consul's brother. The marriage will undoubtedly be broken. But P. hopes it will not affect the national honor. He has given express warning of all these facts to the lady's parents. But they have such an *inconceivable infatuation*, they and the whole family of the Smiths, for the match, that make it they must; and it was really the young man who was seduced. Sam. Smith's wife and Miss Patterson's mother were sisters—Spears; and even the sound sense of Mr. Nicholas, who he believes also married a Spear, had not been proof against this ridiculous vanity. Pichon's fears may be carried too far—the First Consul may think it politic to make the best of what has happened; but all the chances of *rational* probability are the other way. I have not heard Nicholas say any thing on this subject; but the Smiths are so elated with their supposed elevation by this adventure, that one step more would fit them for the discipline of Dr. Willis.[1]

8th. Rain and snow the whole day, so that I could not go out. Employed the day in reading and writing. Varied the resolutions which I have concluded to offer to the Senate on the subject of the Louisiana revenue. The subject has already given me more than one sleepless night. Yet for what? For the Constitution I have sworn to support—for the Treaty that binds our national faith—for the principles of Justice—and for opposing to the utmost of my power those who in this measure will violate them all.

9th. Senate. Court of Impeachment opened. Received from the Committee of Arrangements a report, which is to be printed, and considered to-morrow. Executive business. Spanish Convention ratified. Treaty of Limits with Great Britain further debated, but no question taken. Committee appointed on a resolution of Mr. Bradley's, on the opinions of

[1] The person who undertook the medical treatment of George the Third after his loss of reason.

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the lawyers, communicated among the documents of the Spanish negotiation. Dined with the Vice-President. Messrs. Wells, Stedman, Dwight, Hastings, Mitchell, Betton, and Thatcher dined there. Mr. Burr is a man of very insinuating manners and address. Walked home alone in the evening. Finished reading the pamphlet which defends Mr. Burr against the attacks he has sustained. It is well written, but would bear some pruning to much advantage.

10th. I have at length obtained the final settlement of my accounts during the period of my missions in Europe, from 1794 to 1801. I this morning called at the Register's office, and there found a warrant from the Secretary of the Treasury for the balance due me on this final settlement. My own account claimed 61 dollars 31 cents balance. By the settlement of the Treasury officers, they found the balance due me was 118 dollars 38 cents. The warrant was for this sum. I carried it to the Treasurer, who endorsed on it an order on the bank, which I presented, and received the money. Thus closes that transaction.

In Senate. The Court of Impeachment discussed the report of their committee in part, and recommitted it. Several bills passed; among the rest, the bill for the punishment of ship-burning, &c., to the third reading. I presented my three resolutions, which raised a storm as violent as I expected.[1] General Jackson moved to postpone their consideration until the first Monday in November, and afterwards withdrew his motion.

[1] The resolutions, as recorded in the Journal of the Senate for this day, are to this effect:

Resolved, That the people of the United States have never in any manner delegated to this Senate the power of giving its legislative concurrence to any act for imposing taxes upon the inhabitants of Louisiana without their consent.

Resolved, That by concurring in any act of legislation for imposing taxes upon the inhabitants of Louisiana without their consent, the Senate would assume a power unwarranted by the Constitution and dangerous to the liberties of the people of the United States.

Resolved, That, the power of originating bills for raising revenue being exclusively vested in the House of Representatives, these resolutions be carried to them by the Secretary of the Senate, that whenever they think proper they may adopt such measures as to their wisdom may appear necessary and expedient for raising and collecting a revenue from Louisiana.

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After a debate of about three hours, the resolutions were rejected. Yeas four, nays twenty-one, on the first two. The third depending upon them, and being decided by the rejection of them, I offered to waive taking the question on it. But no—the yeas and nays should be taken upon that, for I had required they should be taken separately on the other two. Of course the third was unanimously rejected. Mr. Pickering did not hear the discussion, and, at his request, was excused from voting. Mr. Hillhouse went away, to avoid voting also, as I presume. Mr. Dayton and Mr. Plumer, federalists, voted against the resolutions. Mr. Wells was absent. Mr. Tracy, Mr. Olcott, and Mr. White only voted with me. I have no doubt of incurring much censure and obloquy for this measure. I hope I shall be prepared for it, and able to bear it, from the consciousness of my sincerity and my duty. Adjourned at half-past four. In the evening I finished reading Montesquieu on the Romans.

11th. The bill to punish ship-burning passed the third reading. The offence is made capital. We shall now see what the House of Representatives will do with it. The remainder of the morning was occupied in the Court of Impeachment and discussing the report of the Committee of Arrangements. The form of summons to Judge Pickering and the person to serve it (the Sergeant-at-Arms) were agreed to. A long debate on the return day arose, and the question upon it was not finally taken.

12th. Report of the Committee of Arrangements again taken up in Senate, and finally the return day was agreed to be the second day of March. Forms of subpœnas were also agreed to, and a resolve adopted to send by the Sergeant-at-Arms a dozen blanks to Mr. Pickering, to be used by him if he thinks proper.

13th. The amendments of the committee to the Louisiana Revenue bill were adopted, and the bill passed to a third reading. The Government bill was taken up, and some progress in it made, but no question upon it taken. My warmth of opposition against those measures had reconciled some persons to it, who hate me rather more than they love any principle. I wait for the decision of time, and pray for moderation as well

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as firmness in my adherence to my principles. These are now almost totally unsupported.

14th. The Senate met, though on Saturday, to pass the Louisiana Revenue bill, which they did; yeas twenty-nine, nays three. Mr. Tracy, Mr. Hillhouse, and Mr. White were absent. Mr. Pickering voted for the bill, and enjoyed no small satisfaction in his vote. Before I presented my resolutions denying the *right* of the Senate to concur in a bill for taxing the people of Louisiana without their consent, I showed them to Mr. Pickering, and had a free conversation with him upon them, and he made no objection against them. On the day when they were discussed, he affectedly left his seat, went out of the Senate room, came in again, kept in a perpetual bustle round the floor and in the lobbies, and, just before the vote on my resolutions was taken, took great care to come and take his seat again, so as to be there for the vote. When his name was called, he arose, and, with a tone of great delight at his expedient, desired to be *excused* from voting, as *not having heard the discussion.* He was accordingly excused; but yesterday and to-day he has voted for the bill against which my resolutions were specially pointed. His conduct, taken together, speaks this language: "See how kindly I spare the feelings of my colleague! Take notice! his resolutions are very ridiculous; but please to observe with how much delicacy I forbear to vote against them." Thus much for Mr. Pickering. This, and his behavior to me on every former occasion when his feelings could operate, has convinced me beyond all doubt that he will *always* vote against every thing proposed by me when he dares. In the debates on the amendment of the Constitution, his votes on the *five* and *three* questions gave the most decisive demonstration of his views. However, as the loss of his concurrence takes off half the force of the few federalists left, I cannot pursue opposition to any effect without his support. I therefore barely took the yeas and nays at the reading, without making any observations on the bill itself. The Senate then immediately adjourned. I wrote letters to my brother and to Mr. W. Smith, enclosing to the latter the bill now pending in the House for the further protection of our seamen, with a request of his opinion.

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15th. At the Treasury, and heard Mr. Lawrie. I called upon Mr. Pickering, and had a very full and free conversation with him on the subject of my resolutions and the Louisiana bills. I represented to him the importance of harmony between us, and told him that as I found the measures which I intended to have opposed to the utmost of my power appeared to have his approbation, I should stop short in the career of my opposition, to avoid every appearance of controversy with *him*. For that, however ready and willing I am to contend with the ruling majority, I felt the importance of preserving unanimity with him, both as it respected ourselves and our constituents. I also asked him what clause or section of the Constitution it was under which he conceived Congress have the power to pass these laws. He answered me, that he was sensible of the importance of our agreeing together in our measures, and regretted when he thought it necessary to vote differently from me. That in this instance, as to the abstract principle of the Law of Nations, as I quoted from Vattel, *I was certainly right*, and that there was no particular clause of the Constitution which gave Congress the power, unless possibly it might be the clause enabling them to *provide for the general welfare*. But, as a point of expediency, it would be imprudent to give the people of Louisiana an option to submit to our government or not; and as to the natural rights of men, they always were disregarded in cessions of this kind. Such are Mr. Pickering's reasons for disapproving my opposition to these two laws. He abandons altogether the ground of *right* upon both questions, and relies upon what is *expedient*, in opposition to the right. I told him I was satisfied as to the object of my enquiries, and that from deference to him, and to avoid the appearance of contending with him, I should urge my opposition on these bills no further, except so far as merely to record my votes. He said he was afraid it would be attributed to an obstinate determination to oppose every thing if he continued to oppose the measures for the government of Louisiana, and that, however desirous he was to be in harmony with me, he could not sacrifice his opinions. This conversation has finished opening to me Mr. Pickering's heart and his understanding.

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Another remark I made was that he conversed with the most perfect freedom on the subject of the Treaty of Limits with Great Britain, and the questions now in discussion upon it, *in the presence of* Mr. Dana, although there is an express injunction of secrecy upon every member of the Senate relative to it.

16th. Message from the President, with the account of the taking possession of New Orleans on the 20th of December. The Louisiana Government bill was further discussed; but no decision had. Adjourned at about two o'clock. After the adjournment Mr. Baldwin came to me, and said, "Your heart is right before God. Your principles and the application of them are *unquestionable;* and the wear and tear of conscience I have undergone first and last on these questions of territorial governments is *inexpressible.*" Yet Mr. Baldwin voted against my resolutions, and in favor of the Revenue bill. He will also vote for the Government bill. In the evening I finished book eighth of Raynal's History, which concludes the history of the Spanish possessions on the *Continent* of South America. Read also the first act of Hamlet to the ladies. This day the President read a letter from Mr. Bailey, one of the Senators from the State of New York, announcing that he had resigned his seat in the Senate. He is to be appointed Postmaster at New York. We heard of this some time before the taking of the vote in Senate on the Constitutional amendment.

17th. Some business of inferior consequence was done in Senate, and the Louisiana Government bill again taken up. The second reading was finished, but no ultimate question taken upon the bill. The bill was to commence from the end of the present session of Congress; but at last General Smith has discovered that more time must be allowed, and moved to have the commencement postponed for six months. Mr. Breckinridge also insinuated that several new sections must be added.

18th. In Senate. The Louisiana Government bill again under consideration. The rage of amendments has seized the friends to the bill, and a dozen of them have been offered by as many members. They are all to be printed. A bill entitled "For the further protection of *American* seamen," but intended for the protection of foreign seamen against the authority of their

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own sovereigns, was debated at the second reading. I opposed it as infringing the laws of nations, but without effect. All the majority, together with Mr. Dayton, who is veering round to them, and Mr. Pickering, who cannot possibly think like me, are determined in support of the bill. The question was not taken. I received a letter from W. S. Shaw, who informs me that Mr. Stedman was the writer of the letter to B. Russell, which was published in the Centinel of 11th December.[1] Stedman lodges in the same house with Mr. Pickering.

19th. Going to the Capitol this morning, Mrs. Madison overtook me on the way, and offered me a seat in her carriage, which I accepted. She told me Mr. Harvie was going immediately to France, on business for the Treasury Department. In Senate, the bill to protect foreign seamen was again taken up and debated, but no question taken. In the evening I read three acts of the Merry Wives of Windsor to the ladies.

20th. In Senate. A bill for the relief of Paul Coulon passed by the casting vote of the Vice-President. A bill to declare the law respecting duties upon saltpetre, which had crept on unnoticed to the third reading, was almost unanimously rejected. By a ludicrous course of circumstances, the bill, before the question "Shall this bill pass?" was taken upon it, had been reduced to the words, "Be it enacted." And the question of final passage was taken on those words alone. The Vice-President gave notice that he should be absent until the beginning of March. Adjourned to Monday.

24th. Going to the Senate, I found the snow very deep to the War Office,[2] but the roads quite unobstructed beyond that. Mr. Holland took me up in his carriage. I found Mr. Brown had yesterday been chosen President pro tem., after six trials.

[1] Saturday, 10th December. The letter was dated the 28th of November, little more than a month from the day Mr. Adams took his seat in the Senate. The spirit in which it is written may be judged by the quotation with which it concludes its survey of his progress thus far:

"Quis talia fando
Temperet a lachrymis."

[2] The severity of the snow-storm had kept Mr. Adams confined to his lodgings, three miles from the Capitol, the two preceding days.

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Mr. Franklin was opposed against him. The amendments to the Louisiana Government bill were taken up, and some progress made in them. Mr. Venable's amendment, to give them the beginning of a popular representation, failed for want of one vote. Yeas fourteen, nays fourteen. On the section prohibiting the slave trade, no question was taken. A letter from Governor Claiborne to the Secretary of State was received and read. It was sent with a *private* letter to the President of the Senate, which, however, Mr. Brown read. In the evening, the eleventh book of Raynal.. It contains an account of the slave trade, and closes with the articles cultivated in the West Indies by slaves —cotton, coffee, sugar, and arnotto.

25th. Met the committee on the case of the brig Henrick (Mr. Baldwin and General Smith); we report the bill without amendment. As to the principle, we could not agree. In Senate the debate continued all day upon the question of the admission of slaves into Louisiana. Mr. Hillhouse is to prepare a section to the same effect, but differently modified.

26th. The section for prohibiting the admission of slaves from abroad into Louisiana was again debated all day. It was at last taken by yeas and nays—seventeen and six. The discussion of this question has developed characters. Jackson[1] has opposed the section *totis viribus*, in all its shapes, and was very angry when the question was taken—called twice for an adjournment, in which they would not indulge him, and complained of unfairness. Dayton has opposed the section throughout with equal vehemence, but happened to be absent when the question was taken. Smith, of Maryland, who has been all along extremely averse to the section, but afraid to avow it, complained bitterly that the yeas and nays were taken in quasi

[1] James Jackson, Senator from Georgia in 1793–5, and again from 1801 to 1806, when he died. In a characteristic note found in Benton's Abridgment of the Debates in Congress, he is lauded as having been "a ready speaker, and as ready with his pistol as his tongue; and involved in many duels on account of his hot opposition to criminal measures. The defeat of the Yazoo fraud was the most signal act of his legislative life,—dying of wounds received in the last of many duels which his undaunted attacks upon that measure brought upon him." Such was the estimate of political merit made by one himself a Senator of long standing, only sixteen years ago.

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committee, instead of waiting to take them on the ultimate question in the Senate. But, finding his party on this point stiff to him as if he was in the minority, he left his seat, to avoid voting at all, in the yeas and nays. Bradley, of Vermont, after trying various expedients to give the slip to the real question, finally moved an amendment to prohibit the admission of slaves altogether, as well from the United States as from abroad. The object was to defeat the thing by its own excess, and made his abhorrence of all slavery the ground of his argument to oppose the partial prohibition. He therefore took the yeas and nays upon his own proposed amendment before they were taken on Mr. Hillhouse's section. The workings of this question upon the minds and hearts of these men opened them to observation as much as if they had had the window in the breast. I called to see Mr. Tracy, who is unwell, at his lodgings.

27th. The Senate met only to adjourn over till Monday—on account of the Louisiana feast. About seventy members of the two Houses of Congress dined together at Stella's. The President and the Heads of Departments were there by invitation. Scarcely any of the federal members were there. The dinner was bad, and the toasts too numerous. I left about thirty of the company there at eight in the evening.

30th. The Louisiana Government bill yet engrosses the attention of the Senate. The sections to secure the prohibition of the slave trade are still under discussion, and Mr. Breckinridge has at length produced one which I suppose is to be the last. 'Tis to be printed for to-morrow.

31st. The question upon striking out Mr. Hillhouse's proposed additional section to insert that of Mr. Breckinridge was debated *warmly*, until four o'clock; and passed finally against striking out—fifteen to thirteen. But the question on Mr. Hillhouse's proposition itself was not taken. Mr. Wright returned, after an absence of a month. In the evening we all attended at the ball given at Georgetown to celebrate the acquisition of Louisiana. It was very much crowded with company, but the arrangements and decorations were mean beyond any thing of the kind I ever saw. We came home at midnight.

February 1st. Mr. Hillhouse's section respecting the admis-

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sion of slaves into Louisiana was adopted.[1] I called on Mr. J. C. Smith, Chairman of the Committee of Claims, and conversed with him in relation to that of Dr. Morse, and concerning the case of the brig Henrick. On the Louisiana Government bill, Mr. Anderson moved to strike out the eighth section, which directed the government of the *second* Territory. Debated until four o'clock, and the question not taken.

2d. In Senate. The debate on Mr. Anderson's motion was continued this day in Senate until four o'clock. The eighth section struck out; yeas sixteen, nays nine.

3d. In Senate. The debate on Mr. Anderson's motion was renewed, and General Jackson proposed, by way of substitute, that the government of Upper Louisiana should be annexed to the Indiana Territory. The question was not finally taken, but will doubtless finally prevail.

7th. Supreme Court sat, Judge Washington having arrived. I was admitted and sworn as attorney and counsellor in the Court. They did little business, and adjourned early. In Senate. The Louisiana Government bill still debating—section about the qualification of jurors. Wrote to Mr. Morton. Deeply engaged all the evening in examining Miller, Park, and Powell. Mr. Nicholas gave notice that, in order to make the Senate more punctual, he should to-morrow at eleven o'clock move for a call of the House.

8th. Attended at the Supreme Court, and in the Senate. Examining authorities with perhaps too much assiduity. Part of the family dined at Mr. Pichon's, but I was so deeply engaged in my enquiries that I could not go. Mrs. Adams went in the evening.

9th. Supreme Court and Senate. In the latter, the Convention of Boundaries with Great Britain, signed 12th May last, was ratified, with the exception of the fifth article. I moved to take off the injunction of secrecy. Motion to lie for consideration.

13th. Debate on the Louisiana Government bill. It passed

[1] All these amendments had relation to the regulation of the mode of introducing slaves into the Territory, prohibiting their importation from Africa, and prescribing the mode of their introduction from the States of the Union.

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to the third reading by a small majority. This attendance on the Senate and the Supreme Court at once almost overpowers me. I cannot stand it long.

15th. Louisiana Government bill at the third reading. I was only part of the morning in the Senate. The remainder of it attending upon the Supreme Court. Read the papers in the case of Head and Amory. The Court are to hear the argument to-morrow.

16th. Attended at the Supreme Court, and argued the cause of Head and Amory *vs.* The Providence Insurance Company. I was about two hours. Mr. Hunter and Mr. Martin then argued the case for the defendants in Error. The Court seems to incline towards them. Mr. Mason[1] is to close to-morrow for us. In Senate they were engaged again in the Louisiana bill.

17th. Attended a short time in Senate, and the remainder of the morning at the Supreme Court. Mr. Mason closed for us in the cause of Head and Amory *vs.* The Providence Insurance Company, and made an excellent argument. The cause, however, will turn against us. The next case that came on is that of Graves *vs.* The Boston Marine Insurance Company, which Mr. Stockton opened by a very able argument. On the whole, I have never witnessed a collection of such powerful legal orators as at this session of the Supreme Court. The Louisiana Government bill proceeded to the question at its third reading; but the question was not taken.

18th. Attended a short time at the Supreme Court; but I was called away to the question upon the Louisiana Government bill. I spoke against it, alone, and was very shortly answered by Mr. Wright, alone. On the question, the yeas were twenty, the nays five. Messrs. Dayton, Pickering, Tracy, Wells, and White absent. Mr. Stone alone of the major party voted against the bill; and thus terminates the introductory system for the government of Louisiana. I have thought it placed upon wrong foundations. It is for time to show the result.

20th. Dr. Logan gave notice on Saturday that he should this day move for leave to bring in a bill for laying a duty on

[1] John Thompson Mason, at this time a lawyer of distinction, had been retained as senior counsel in the case, by the advice of Mr. Adams.

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the importation of negro slaves into the United States. This morning Mr. Tracy moved to expunge from the Journals the record of this notice—it being a bill to raise revenue, which therefore cannot, by the Constitution, originate in the Senate. It was amusing to observe the perplexity which this occasioned. Some were for expunging, upon the principle, that *notice* of an intention to bring in a bill *ought not in any case* to be inserted in the Journals. Others bravely stood to it that it would not be a bill to raise revenue, among whom was Dr. Logan himself, who said he would show it when the bill came to be debated. This I suppose will be ad Kalendas Græcas. On the question for expunging, the Doctor called for the yeas and nays. It passed in the negative—yeas five, nays twenty-one. But the Doctor did not ask leave according to his motion, and I think will find it most expedient to let it sleep. I was in Court great part of the morning.

21st. Attended in Senate. Several bills passed, almost without debate. An Act for the relief of Samuel Corp was debated, but no question taken. The Supreme Court did not sit this day, Judge Chase being ill. Dined at Mr. Duvall's. Judge Cushing and his lady, Mr. and Mrs. Huger, and several other persons, were there. In the evening there was other company.

22d. Attended a few minutes at the Senate, and all the rest of the morning at the Supreme Court. The Chief Justice read the opinion of the Court in the case of Pennington and Cox, the famous case of the sugar refiners; and also in the case of the Charming Betsey. In the former they reversed the decree of the Circuit Court. Mr. Mason opened a case of Insurance. The question is upon the degree of credit given to the sentence of a foreign Court of Admiralty. Mr. Stockton also read the papers in the case of Church and Hubbart, and will open the cause to-morrow. Dined at Stella's, in company with about seventy gentlemen, in celebration of Washington's birthday. The company consisted of members of Congress, the Judges of the Supreme Court, and gentlemen belonging to the city and neighborhood. I came home early. The ladies went to a ball at Georgetown, for the same occasion. I passed the evening at home, reading the papers in the case of Church and Hubbart.

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23d. Winter returned severely. Snow all the morning, and very cold. Mr. Stockton opened the case of Church *vs.* Hubbart at the Supreme Court. He goes away to-morrow, and therefore the cause is to be finished at some future day. Mr. Hunter opened the defence upon the case of Fitzsimmons *vs.* Newport Insurance Company. He was two hours on the point of credit due to a foreign Admiralty sentence; after which the Court adjourned. He is to continue to-morrow. I scarcely attended in Senate; but nothing of material importance was done. Evening, till midnight, examining the papers in the case of Church and Hubbart.

24th. Attended in Court. The cause of Fitzsimmons and the Newport Insurance Company was this day finished on the argument. In Senate, little business done; and that of executive nature. This evening the family spent at Mr. J. T. Mason's —a ball. I did not go, being engaged in business until past midnight. Weather very cold.

25th. The Court delivered this morning an opinion in the case of Head and Amory *vs.* the Providence Insurance Company. Judgment of the Circuit Court reversed, unanimously. The Senate, having little business to do, adjourned early.

March 2d. This was the return day on the summons to John Pickering, Judge of the District of New Hampshire, to answer to the articles of impeachment against him. The Senate met at ten o'clock. I called up my motion, made on the 4th of January, to declare that "any member of the Senate having previously acted and voted on a question of impeachment as a member of the House of Representatives, is thereby disqualified to sit and act, *in the same case*, as a member of the Senate sitting as a Court of Impeachments." The resolution was negatived—yeas eight, nays twenty. When I made the motion there were three members in this predicament—Samuel Smith, of Maryland, John Condit, of New Jersey, and Theodorus Bailey, of New York. Since that time Mr. Bailey has resigned his seat; and John Armstrong, who had been appointed by the Executive of New York, during the recess of the Legislature, to supply the place of De Witt Clinton, has been appointed by the Legislature instead of Mr. Bailey. The same Legislature also

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appointed John Smith to take the place of Mr. Clinton, and he has taken his seat. John Smith, of New York, was also a member of the House of Representatives when Mr. Pickering was impeached, and voted for the impeachment. So that there are still three members of the Senate in that situation. When the question on my proposed resolution was put, Mr. Condit and Mr. John Smith, of New York, desired to be excused from voting, and were accordingly excused. Mr. Samuel Smith, however, declared that he had no idea of resigning his right to vote, and therefore said *No.* Some rules of proceedings were adopted. The Court of Impeachments was opened, and the House of Representatives informed that the Court was ready to proceed to the trial; Mr. Mathers, the Sergeant-at-Arms, having previously sworn to his return that he had served the summons upon Judge Pickering. The managers for the House of Representatives appeared, and took the seats assigned them. John Pickering was called three times, and did not appear. The President then stated that he had received a letter from Robert Goodloe Harper, enclosing a petition from Jacob S. Pickering, son of Judge Pickering; the letter and petition were read. Mr. Harper appeared, and stated that he had no authority to appear, and did not appear, for John Pickering; but he submitted to the Court whether he should be permitted to advocate the petition of Jacob S. Pickering. This petition alleged that John Pickering, the Judge, was insane at the time when the acts charged against him were stated to have been committed, and had been ever since, and still remained, in the same state; that he had several depositions to prove the fact; that the age and infirmities of his father made it impossible for him to be brought here at this inclement season; that the judgment which he was accused of was not contrary to law, though not the result of reason; and prayed for a postponement of the trial, that the Judge might be brought in person before the Court. The managers from the House of Representatives objected against Mr. Harper's being admitted to support the petition, he having expressly declared that he had no authority to appear in behalf of John Pickering, the person impeached. On this question the members of the Court retired to their com-

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mittee room, and after some consultation, being desirous to deliberate further, returned to the Senate room, and informed the parties that when they shall have come to a decision they will give information of it to the House. The Court and Senate were then adjourned.

3d. Senate sat until four o'clock—almost the whole day deliberating with closed doors on the question whether evidence and counsel in support of the petition of Jacob S. Pickering should be heard. There was no agreement upon the question, which was adjourned till Monday, eleven o'clock. The dispositions and the principles advanced on this occasion are painful to reflect upon. The most persevering and determined opposition is made against hearing evidence and counsel to prove the man *insane*—only from the fear, that if the insanity should be proved, he cannot be convicted of *high crimes and misdemeanors* by acts of decisive madness. Motions were made to assign him counsel, who, upon the plea of *not guilty*, should give in evidence insanity by way of mitigation; as if a madman could either plead *guilty* or *not guilty*. Mr. Jackson was for hearing none of these pretences of insanity; because they might prevent us from getting rid of the man. He said the House of Representatives were at this moment debating whether they would not impeach another Judge, and by-and-by we should have Judge Chase's friends come and pretend he was mad. He said Judge Pickering's friends ought to have made him resign. It was reported he had said he would resign if they would make him Chief Justice of New Hampshire. And it would have been a pious act in his son to have drawn up a paper saying, In consideration that I have been appointed Chief Justice of New Hampshire, I hereby resign my office as District Judge. "I repeat," said General Jackson, "that this would have been a *pious act* in the son." (The General is not a very learned judge in the doctrines of *piety*.) Mr. Breckinridge was for proceeding to *trial*—hearing all the proofs which the managers of the House shall bring forward to prove acts of extravagance and folly, and afterwards hear evidence of insanity, in mitigation. This opinion will probably prevail. Mr. Worthington was for hearing the *evidence* of in-

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sanity, but not *counsel.* The dilemma is, between the determination to remove the man on IMPEACHMENT *for high crimes and misdemeanors*, though he be insane, and the fear that the evidence of this insanity, and the argument of counsel on its legal operation, will affect the popularity of the measure.

5th. In Senate. The Court of Impeachments sat. Debating again the whole day, whether evidence and counsel in support of the allegation of the insanity of John Pickering should be heard. Question finally taken—eighteen yeas, twelve nays. Soon after adjourned. Went in company with my colleague, Mr. Pickering, to dine with Mr. and Mrs. Washington, at Rock Hill. The House of Representatives this day decided the contested election of Jos. Lewis against him. Dr. Thornton was of the company at Mr. Washington's, and gave us his plan for a new confederate system of government for the United States.

6th. In Senate. The managers of the House of Representatives appeared. The decision of the Senate to hear counsel and evidence on the petition of Jacob S. Pickering was made known to them. Mr. Nicholson enquired whether this was considered as a preliminary measure, or to take place in the course of the trial. The Vice-President said it would be a preliminary step. Upon which Mr. Nicholson said that he was directed by the managers to say they were prepared to support their charges against John Pickering, but that they would not contend with a third person, not authorized by him, and should retire to take the directions of the House of Representatives; which they all immediately did. The petition and depositions to support it were then read by Mr. Harper, who made few observations upon them. The Senate soon afterwards adjourned.

7th. In Senate. On the opening of the Court, Mr. Anderson moved that the House of Representatives be informed the Court were ready to proceed on the impeachment of John Pickering. The question was taken without debate—eighteen yeas, nine nays. This had evidently been settled by the members of the ruling party out of Court. And this is the way in which these men administer justice. At the request of Mr. Nicholson to the Vice-President, the Court was adjourned until twelve o'clock to-morrow. Little legislative or executive business was done,

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and the Senate adjourned early. I was a short time in the House of Representatives, where they were debating on the Georgia Land business.

9th. In the Court of Impeachments. Some further witnesses were heard. Some of yesterday's witnesses re-examined, and the two Senators from New Hampshire sworn in their places. The managers from the House of Representatives, who refused to be present at the examination of the testimony to the insanity of Judge Pickering, now examined their witnesses almost exclusively to that point; there being no person present in behalf of the accused to cross-examine them. The testimony was as full, clear, and explicit as possible that the Judge's habits of intoxication had proceeded altogether from his insanity. After the examination was closed, the managers from the House retired for a few minutes; then returned and said, they lamented to have to present *such a character* to the judgment of the Senate, but that the proof was so strong and full against him that they should make no observations upon it; and they withdrew. Mr. Tracy then made a motion to postpone further proceedings on the impeachment until the next session, which was rejected. Mr. Nicholas moved that the House of Representatives be informed that on Monday next, at twelve o'clock, the Senate would proceed to give judgment on this impeachment. This motion lies for consideration.

It is to be remarked that since the day when the managers from the House withdrew, because the Senate had determined *to hear evidence* that the accused person is insane, a total revolution has taken place in the conduct of all the Senators of the present ruling party in politics, excepting Mr. Bradley, who still loudly disapproves the mode of proceeding in private, but is reduced to silence in public. In the House of Representatives speeches are making every day to dictate to the Senate how they must proceed; and the next morning they proceed accordingly. This day, after the Senate adjourned, I saw a cluster of Senators and managers of the House of Representatives collected together around the fireplace; the managers consulting the Senators about their opinions on the evidence, and Mr. Randolph contemptuously sneering at the idea of

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insanity being alleged, to arrest the judgment against the man.

10th. Mr. White, in Senate, moved this morning a resolution declaring the Court not prepared to give judgment in the impeachment of Judge Pickering, stating the evidence of his insanity and bodily infirmity, which made it impossible for him to attend and make his defence. On this resolution it was not without the utmost difficulty that any discussion whatsoever could be obtained. Mr. Nicholas, to give it the slip, insisted upon having his resolution, offered yesterday, *first* taken up. On which I rose and said, that if Mr. White's motion was not considered, I should offer a resolution *previous in its nature* to that of Mr. Nicholas. I was called to order as entering into debate. I answered that I was not debating, but merely stating the purport of a resolution I should offer if that of Mr. White was not considered, and that in thus stating it I should speak until my mouth was stopped by force. I was again called to order, but the President determined that Mr. White's resolution should be taken up before that of Mr. Nicholas.

The next struggle was to prevent all debate upon the resolution. By our rules there can be no debate on any motion in open Court. A motion to close the doors for the purpose of discussing the resolution was rejected, nine members voting for it; the rule requires one-third, which, of twenty-nine present, is ten. But although we are allowed no debate, yet motions to strike out parts of a resolution proposed were admitted by the majority; and Mr. Anderson moved to strike out a great part of Mr. White's resolution, so as to get rid of all the reasons alleged in it. I objected against any motion to strike out part of an offered resolution, because such motion was itself debate, and contrary to the rule. At length Mr. John Smith, of Ohio, wanted to put a question as to the meaning of a part of Mr. White's resolution. And in order to make that enquiry, a second motion was made to clear the galleries. Smith, now voting for it, gave the casting turn, the necessary number of one-third. The galleries were cleared, and a short discussion of the resolution was had. The extreme injustice of judging an insane man as a guilty one; of sentencing, unheard, a man

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who could not be present at this time without imminent hazard of his life; of precipitating decision without necessity, was urged; Mr. Anderson, and most of the members in the majority, all the time manifesting the most extreme impatience to open the doors and stop all further debate. At length, rather than continue the discussion, he waived his motion to strike out part of Mr. White's resolution, and said he was ready to meet it. But Mr. Nicholas said he should move that it *might not be entered on the records*. Although the rule is that all motions shall be decided by *yeas* and *nays* in open Court, Mr. Nicholas was for having the yeas and nays, without the motion upon which they were taken. The doors were opened. The yeas and nays were taken on Mr. White's resolution—yeas nine, nays nineteen. Mr. Bradley did not make his appearance. Yeas and nays on Mr. Nicholas's motion to pronounce judgment on Monday next at twelve o'clock—yeas nineteen, nays nine. Court adjourned to Monday morning, ten o'clock. I should have observed that yesterday the Vice-President took leave of us for the remainder of the session. And this morning Mr. Franklin was chosen President pro tem.; nominated by Mr. Jackson. As soon as he took the chair, Mr. Nicholas nodded and smiled protection to him, most familiarly. This afternoon I received a letter from Mr. Pickering which occasioned some additional perplexity to my mind, and I passed the principal part of the evening in reflecting upon the course proper to pursue.

11th. I was unwell; confined the whole day to the house with a severe cold. Employed it almost entirely in writing. Wrote two letters to Colonel Pickering—the last with a plan of a declaration to be subscribed by those of the Senators who disapprove of the proceedings on the impeachment, conformably to his request.

12th. Mr. Pickering returned me, as I had desired, my last yesterday's letter, with the enclosed plan of a declaration, observing that on further consultation it was thought best to avoid such a step, and rest our opposition upon the regular discharge of our duty. I was of the same opinion.

As the whole of the proceedings connected with the first

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example of impeachment carried through under the provisions of the federal Constitution will be always interesting whilst the present government endures, the papers here referred to are now supplied, as intimately connected with the transaction. At this time it is believed that but one opinion can be entertained of it, whatever might have been the expediency of obtaining the object desired.

T. PICKERING TO J. Q. ADAMS.

CITY OF WASHINGTON, March 10, 1804.

DEAR SIR:—

We have seen to-day the fate which awaits the District Judge of New Hampshire. Unheard, he is to be condemned. I have suggested to the Senators from Connecticut and New Hampshire that we ought to prepare a clear state of the case, drawn up as concisely as will consist with a correct understanding of it by the public, to be subscribed by all the Senators who desire to bear testimony against this mockery of a trial, where not justice but the demon of party determined the proceedings. This statement we think should be offered next Monday, the moment the yeas and nays on the question of guilty or not guilty are taken; and we all wish you to prepare it. I despatch a messenger with this communication, that if your ideas correspond with ours, you may have more time to make the statement.

The whole proceedings will probably be published; but they will be too voluminous to be generally read. The strong and concise statement proposed, will justify our votes and display the injustice of the majority to upright and discerning men everywhere, and to our peculiar countrymen in particular.

Respectfully yours,

T. PICKERING.

J. Q. ADAMS TO T. PICKERING.

WASHINGTON, 11 March, 1804.

DEAR SIR:—

On further reflection since the morning, I have thought of a mode, which appears to me not out of order, and in which we

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can express our sentiments relative to the proceedings of the Court. It is to decline answering the final question, and assign the reasons, as you will see in the rough sketch which I enclose. If this should meet your approbation and that of the other gentlemen with whom you may consult, I will, when called upon for my vote, declare that I cannot answer, and offer this paper in behalf of myself and of the other gentlemen who please to subscribe it. If the paper is not suffered to be read, and we are either required to answer or excused, we can publish the paper, with the statement that it was not suffered to be read. If you would wish any alterations or additions, please to make them, and send me back the paper to copy from, to-night or to-morrow morning. If you disapprove the plan, please to keep the paper, and return it to me when we meet to-morrow.

Yours faithfully,

J. Q. ADAMS.

PAPER ENCLOSED IN THE LETTER.

We, the subscribers, members of the Senate of the United States, sitting as a Court of Impeachments upon the impeachment of John Pickering, Judge of the District Court for the District of New Hampshire, request to be excused from answering the question of guilty or not guilty upon the four several articles of impeachment preferred against the said John Pickering by the House of Representatives of the United States.

And we offer the following as our reasons for declining to answer that question at this time, which reasons we also request may be entered upon the records of the Court.

First.—Because from the allegations contained in the petition of Jacob S. Pickering, son of the said John Pickering, and supported by the depositions of Samuel Tenney, a member of the House of Representatives of the United States, of Ammi Cutter, of Joshua Brackett, of Edward St. Loe Livermore, and of George Sullivan, and further confirmed by circumstances within the personal knowledge of Simeon Olcott and William Plumer, two of us, who deposed to the same in this Court, we

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think there is the highest probability that the said John Pickering was, at the time when the offences alleged in the said articles of impeachment are stated to have been committed, and for some time before, and ever since, has been, and still is, insane, his mind wholly deranged, deprived of the exercise of judgment and the faculties of reason; and as such incapable of committing a crime, and not amenable for his actions to any judicial tribunal.

Secondly.—Because from the allegations contained in the said Jacob S. Pickering's petition supported by the same depositions above referred to, it appears that from the bodily infirmities of the said John Pickering, it was not possible for him to have been present at the day fixed by the Court for his trial, without imminent danger of his life.

Thirdly.—Because, conceiving an impeachment for high crimes and misdemeanors to be a criminal prosecution, we think that upon a suggestion of present insanity of the person accused, supported by credible testimony, the Court are bound by law, at every stage of the same, to stay all further proceedings until the truth respecting the alleged fact of present insanity can be ascertained.

Fourthly.—Because all the evidence produced in support of the said articles of impeachment was taken and received ex parte, when neither the said John Pickering nor any person in his behalf could cross-examine them, or have an opportunity to controvert its competency or its creditability.

Fifthly.—Because improper evidence was received against the said John Pickering, when neither he nor any person in his behalf, nor any member of the Court, could assign reasons for objections against its admission. And we refer particularly to the testimony of Michael McClary, of Richards Cutts Shannon, and of Edward Hart, who were permitted and required to give their opinions and common report as to the cause of the said John Pickering's insanity and disorders, while at the same time the opinion of his family physician and testimony of that opinion, on the same subject, were excluded.

Sixthly.—Because from all these circumstances we are of opinion that the said John Pickering has not had the benefit of

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an impartial trial; that he has not had an opportunity or the possibility of being heard or defended either by himself or his counsel.

And seventhly.—Because, although believing, in the present state of the testimony received, that the said John Pickering is *not guilty* of any of the charges alleged against him in the said four articles of impeachment, we have not had either the time or the means which we conceive necessary and proper for ascertaining the facts so as to enable us to pronounce his acquittal.

After the Court met, they were to determine the form of the question whether John Pickering was guilty or not, and also the form of the judgment; for in the same character of proceedings which has marked every thing done since the manifestation of the displeasure of the managers of the House of Representatives, the Court had fixed the time for pronouncing judgment before they had settled the question, guilty or not. It appeared to me very doubtful whether the facts *alleged* and *proved* in the first three articles amounted to impeachable offences, and particularly whether the mere refusal of a judge of an inferior court to allow an appeal which the party claiming it can assert and sustain before the superior tribunal, notwithstanding such refusal, can be an injury either to an individual or the public. I stated to the President my doubts on this subject; that I had not had the time necessary to examine the subject, and inquired whether I might put a question whether either of the articles constituted an impeachable offence. He said no; the only question to be put was that of guilty or not guilty on each article separately. Mr. White, of Delaware, moved that the question should be put in this form: "Is John Pickering, Judge of the District of New Hampshire, guilty or not guilty of high crimes and misdemeanors, as charged in the Article of Impeachment?" Several other forms of question were proposed, and the galleries cleared for discussion. Mr. White's form of question was taken from that adopted on the trial of Hastings, but was here rejected, for the purpose of keeping out of sight the questions of law implied in the terms "high crimes and misdemeanors." The form adopted was, Is

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John Pickering, District Judge for the District of New Hampshire, *guilty*, as charged in the article? and the answers to be *aye* or *no*. This form, by blending all the law and facts together under the shelter of general terms, put at ease a few of the weak brethren who scrupled on the law, and a few who doubted of the facts. The same address saved their consciences the uttering the word *guilty*, which, as applied to a man deprived of his senses, shocks the feelings even of those who had submitted to pronounce him so in the fact. Some of them knew the *word* would stick in their throats, though they were prepared for the thing. The next thing to agree upon was the judgment; the time fixed for pronouncing it was past. The managers, and indeed the whole House of Representatives, were at the door, waiting. A form was proposed: Shall John Pickering, District Judge, &c., be removed from office? To be put IF the vote of guilty, aye or no, should be against him. This form was agreed to in the midst of confusion, and with the precipitation now become habitual. The whole House of Representatives came in, with their Speaker at their head. The managers took their seats. The President declared the Senate were ready to pronounce judgment; when Mr. Wright, who sat before me, looked back, and said he should call to have the *record of the District Court read, on which the first article of impeachment was founded.* I, with some surprise, and with a countenance of some contempt at this endeavor to bias votes at that moment, only said, "Evidence, now!" He saw his motive detected. The record undoubtedly proved the *fact* alleged in the first article—of restoration of the vessel. But the question of law, and the Judge's state of mind, could not appear. On my barely saying those words, he colored in crimson to the eyes, and with an appearance of rage said, "I don't understand you, sir. I wish you would treat me with decency in this House." I answered, "Sir, it is always my intention to treat you with decency." He turned to the President, and called for the record to be read. The Secretary accordingly began to read the record, which was long. Before he had got half through, General Jackson rose and said it was altogether out of order, and called for the reading of the first

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article of impeachment. Wright rose and said, "*There was something at the conclusion of the record.*" However, the call for the article of impeachment was repeated; and the President ordered it to be read. Mr. Wright's conclusion of the record, therefore, was not read, and his hopeful project failed.

The question of "guilty," aye or no, was taken separately on the four articles, after each article read—nineteen yeas and seven nays on each article. Then on the question of removal—twenty yeas and six nays; Mr. Wells saying that although he believed the man not guilty, yet the competent majority having found otherwise, he voted for the removal. The Court was then adjourned indefinitely.

After the adjournment, I told Mr. Wells that the grounds upon which I voted on the last question, against the removal, were that the whole proceedings had been contrary to law, and that he was not legally convicted. I said I had for some time doubted in my own mind as to what my vote ought to be on that question, but that finally that was the conclusion I had drawn. He told me that he had not fully reflected on the subject, and believed that mine was the correct opinion.

N.B.—Mr. White and Mr. Dayton withdrew from the Court and did not vote, on the ground, as they alleged, of the *irregularity in the proceedings.* Mr. Bradley did the same, perhaps for the same cause, and probably to avoid separating from his party. Mr. Stone and Mr. Armstrong likewise absented themselves, owing, I presume, to the same doubts of the regularity of proceedings, and the same aversion to quit their party. I would gladly have done the same, not for fear of quitting my party—for, before Heaven, I have not suffered a party thought to intermingle with my judgment in the case—but to bear the loudest testimony against such a course of proceedings. However, on full deliberation, I thought my true line of duty was to remain at my post, and discharge myself conformably to the special oath I had taken.

After the adjournment of the Senate, I went into the House of Representatives, where a vote passed to impeach Judge Chase of high crimes and misdemeanors.

On the impeachment of Mr. Pickering there are two remarks

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which have impressed themselves on my mind with peculiar force—the subserviency of the Senate, even when acting as a *Judicial Court*, to a few *leading members* of the House of Representatives, and the principle assumed, though not yet openly avowed, that by the tenure of *good behavior* is meant an active, continual, and unerring execution of office. So that insanity, sickness, any trivial error of conduct in a Judge, must be construed into misdemeanors, punishable by impeachment. The fact of the first remark, coupled with the principle assumed by the last, I think must produce important consequences to this Union.

13th. I continue with a bad cold, but attended the Senate. Day rainy. As I entered the room, I saw Mr. John Randolph, Jr., and Mr. Early, announcing at the bar of the Senate the impeachment of Judge Chase, together with a demand that the Senate should take order for his appearance. The rest of the day was employed in the usual legislative business. Sat until half-past four o'clock.

14th. In Senate. A bill came from the House appropriating two thousand dollars to pay witnesses attending on the impeachment of the Judges Pickering and Chase. At the second reading, Mr. Wright, from the Select Committee, proposed an amendment totally changing the bill; making no reference to the two Judges, but providing for the payment of all expenses on impeachments from the contingent fund of the two Houses. The object of this appearing to be to veil from the public eye the cost of these prosecutions, I opposed the amendment. It did not obtain. But it was found necessary to increase the appropriation from two to four thousand dollars. The report of the committee on the petition of W. A. Barron was taken up. Mr. Baldwin opposed the resolution, on the ground that it should have passed first in the House of Representatives. A question was taken about four o'clock; but there was not a quorum found, and the Senate adjourned. I dined at Dr. Thornton's. Mr. Pickering, Mr. Tracy, Dr. Logan, Dr. Stevens, Mr. and Mrs. T. Peter, Captain Tingey, his lady and daughter, and Mr. and Mrs. Pichon, were there. After dinner Mr. Stuart, the painter, came in.

23d. A great number of bills were this day passed. Indeed,

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as the close of the session approaches, very little attention is paid to the business, and almost everything passes without discussion. Sat until half-past four o'clock.

24th. In Senate. A motion was made by Mr. Dayton for a resolution to postpone for two days, from Monday, 26th, to Tuesday, 28th, the adjournment; but it did not pass. I called for consideration the resolution I offered some time since to have the records of the proceedings on the impeachment of J. Pickering printed as an appendix to the Journals of the session. The majority refused to take it up for consideration—eleven to ten. A great variety of bills were passed. Mr. Anderson introduced an alteration in the bill for appropriating fifty thousand dollars to continue the public buildings here, which will end in defeating the bill itself. There were many disagreements between the two Houses; in the end of which the Senate have always yielded. We sat until almost six o'clock in the evening. Finished the day's business with going partly through a list of nominations to office. William Johnson, of South Carolina, is appointed a Judge of the Supreme Court, instead of Alfred Moore, resigned.

25th. Attended at the Capitol, and heard Mr. Parkinson. I wish to remember and practise on his advice,—to forget and forgive all the resentments and injuries which have been excited and occasioned during the session of Congress.

26th. This was the day fixed upon by the joint resolution for closing the session; but, from the great accumulation of business, the resolution was this day rescinded by a joint vote, and the Houses are to be adjourned to-morrow. A great variety of bills were passed, among the rest one for raising an additional tax of about eight hundred thousand dollars, to be called and applied as a Mediterranean fund. It is by adding two and a half per cent. to the whole list of *ad valorem* duties. Various attempts were made to alter and amend this Act, altogether without success. It passed at last—twenty-one yeas, five nays. In the House of Representatives it passed unanimously. At four o'clock the Senate adjourned until five; and, not having time to go home, I accepted an invitation from Mr. Pickering, and went and dined at his lodgings with him. Met

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again at five, and sat until nine in the evening. Got through the greatest part of the business, but left a little for to-morrow. Adjourned to ten in the morning.

In executive business, Mr. Wright and Dr. Logan called for Mr. Bradley's report of 24th February, against the Philadelphia lawyers and Edward Livingston. They wanted to take off the injunction of secrecy and not act upon the report. Some objection, however, was made, and the matter was adjourned over until to-morrow.[1]

27th. The first session of the Eighth Congress is at length closed. The two Houses met at ten o'clock this morning. The House of Representatives had almost finished their business. The Senate had eight bills to pass. There was little debate, except upon the disagreement between the two Houses on the bill making an appropriation for the public buildings at this city. The bill, as it passed the House, was finally agreed to—seventeen yeas, seven nays. Mr. Smith of Vermont had been the member of the Committee of Enrolled Bills on the part of the Senate during the session. He went away this morning. I was appointed to supply his place. At three o'clock the Senate adjourned until four; but I was occupied in the interval with Mr. T. M. Randolph in examining the bills. It was with the utmost difficulty that a quorum of the two Houses in the afternoon could be formed; many of the members having left the city in the course of the day. A quorum, however, was at length made. Mr. Bradley's report was postponed to the next session. The Committee of Enrolled Bills presented to the President, who was in the committee room of the Senate, nine bills for his approbation. They were soon after returned signed. A committee was raised to inform the

[1] On the 21st of February the President sent a message to the Senate communicating certain additional papers connected with a convention with Spain touching indemnities for spoliations on our commerce. Among them appeared letters written by eminent lawyers in Philadelphia, disclosing opinions, professionally given, on these matters, to the agents of the Spanish government. Mr. Bradley took exception to this conduct, and obtained a committee to consider the question, which reported resolutions requesting the President to institute proceedings against them. This curious report is found in the first volume of the Executive Record, p. 469. It never came to anything.

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President that Congress were about to adjourn, and reported he had nothing further to communicate. Messages passed between the two Houses with notice they were about to adjourn; and at half-past six P.M. the Senate was adjourned until the first Monday in November. I came home and dined at about eight in the evening. Found Mr. Bollman here. On the close of this session of Congress there are various observations respecting it which occur to my mind, but which I shall reserve for another place.

NEW YORK, *April* 8th.—Mr. King and Mr. Wolcott called to see me, and I had long conversations with them, principally on public affairs. I paid a visit to Mr. Burr at his lodgings in the city. He says if the election were to be a fortnight later he should probably succeed. Nothing could have induced him to let his name be held up as a candidate for the office of Governor of New York but the absolute necessity of interposing to save the country from ruin by these family combinations, &c., &c., &c. Dr. Eustis dined with us. I spent the evening with Mr. King. Found Mr. Pickering there.

10th. Saw Mr. M. L. Davis this morning. Dined with Mr. King. Dr. Eustis and Mr. Payne were there. I spent the evening with Mr. King in particular conversation.

QUINCY, *September* 20th.—My brother went to Randolph on business. This afternoon I read Rapin's comparison between Thucydides and Livy. It is entertaining; but the method, not having been carved out beforehand by Aristotle, as in the case of the two former parallels, is not so good. I also read over in the Portfolio most of my letters on Silesia, which, by an advertisement in the newspapers, appear to have been republished in London in a volume. I find part of one letter from Leipzig, relating to Lord Holland and Mr. Elliot, which I always much regretted to see published, and which I shall regret still more if it is included in the republication. Mr. Elliot particularly, who will naturally suppose, if the book should ever fall into his hands, that it was published by my consent, must think himself very ill treated by me, in return for his civilities, by an allusion to his domestic history, which must be disagreeable to him and his family. But in writing the Silesian letters I had

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no expectation that any of them would be published, and I certainly never should have written *that* one had I imagined it would have appeared in print.[1]

October 3d. Mr. Quincy was here this morning, and urged me to consent to stand as a candidate for the office of the President of the university. Upon which I could only repeat the answer I gave him when he mentioned it to me last week. I then supposed him joking; but he was this day very serious. It will not answer. They are still to choose a member of the corporation and a Professor of Divinity. Quincy opened to me more fully the real causes of their former delays, and the personal and family views which enter into these elections.

WASHINGTON, 31st.—Paid visits to the President and Mr. Madison, both of whom I found at home. The President conversed with me respecting the impressments by the British frigates upon our coast, and respecting the trade carried on by some of the merchants with the blacks at St. Domingo. This he appears determined to suppress, and I presume a law will pass for the purpose at the approaching session.

November 5th. This was the day to which the session of Congress was adjourned. I attended at the Capitol at eleven in the morning. Only thirteen Senators attended, with the Vice-President, and, not being a sufficient number to form a quorum, barely met and adjourned. Mr. Giles appeared and took his seat instead of Mr. Venable, who has resigned since the last session. The Vice-President also gave notice that he had received a letter from Mr. Wells, of Delaware, containing the resignation of his seat. After the adjournment I went into the Representatives' chamber, which is where the Library was formerly kept. They formed a quorum, and agreed to the appointment of the usual standing committees.

N.B.—The Vice-President, Mr. Burr, on the 11th of July last fought a duel with General Alexander Hamilton, and mortally wounded him, of which he died the next day. The coroner's inquest on his body found a verdict of wilful murder by Aaron Burr, Vice-President of the United States. The Grand Jury in the County of New York found an indictment

[1] See pages 240, 241.

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against him, under the statute, for sending the challenge; and the Grand Jury of Bergen County, New Jersey, where the duel was fought, have recently found a bill against him for murder. Under all these circumstances Mr. Burr appears and takes his seat as President of the Senate of the United States.

6th. Seventeen members attended in the Senate, besides the Vice-President. One member more was wanting to make a quorum; whereupon the House barely met and adjourned.

12th. Senate met; received a list of renominations of persons appointed to office during the recess. Mr. Monroe is appointed Envoy Extraordinary to Spain, Mr. Pinckney intending to return. Adjourned immediately. I visited General Smith (but he was gone to Baltimore), Mr. Law, and General Wilkinson, who says the management of the people of Louisiana will be troublesome. He said he had a letter from Edward Livingston, in which he avows himself the author of the Louisiana memorial published last summer. He further says that Governor Claiborne gives great dissatisfaction there in his office, and is very unfit for it. Yet the General at his request solicited the office for him. Claiborne desired him to say to the President that *he wished to have the refusal* of the place, though he should perhaps not accept it; but the *offer* was necessary to support him against the insinuations and calumnies of his enemies. This the General faithfully reported to the President, who made him no answer. Claiborne had the *refusal*, but did not *refuse*. Wilkinson says he is hooted at by the very old women, whom he has heard exclaim, "Quel Commandant! quel Gouverneur! quelle BÊTE!"

16th. The races at length are finished, and the Senate really met this day. Mr. Bradley moved to go into the consideration of executive business, merely for the sake of having on the *printed* Journals an *appearance* of doing business, though there was really none to do. This vote passed, for mine was the only voice heard against it. My reason was a natural abhorrence of tricks to save appearances, contrary to the real truth of things.

23d. The credentials of Mr. Bayard, as Senator for Delaware this session, instead of Mr. Wells, resigned, were read, as were those of Dr. Mitchell, Senator for New York, instead of General

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Armstrong. Dr. Mitchell took his seat. I wrote to my father and Mr. Dennie. Dined with the President. Mrs. Adams did not go. The company were Mr. R. Smith, Secretary of the Navy, and his lady, Mr. and Mrs. Harrison, Miss Jenifer and Miss Mouchette, Mr. Brent, and the President's two sons-in-law, with Mr. Burwell, his private secretary. I had a good deal of conversation with the President. The French Minister just arrived had been this day first presented to him, and appears to have displeased him by the profusion of gold lace on his clothes. He says they must get him down to a plain frock coat, or the boys in the streets will run after him as a sight. I asked if he had brought his *Imperial* credentials, and was answered he had. Mr. Jefferson then turned the conversation towards the French Revolution, and remarked how *contrary to all expectation* this great *bouleversement* had turned out. It seemed as if every thing in that country for the last twelve or fifteen years had been A DREAM; and who could have imagined that such an *ébranlement* would have come to this? He thought it very much to be wished that they could now return to the Constitution of 1789, and call back *the Old Family*. For although by that Constitution the Government was much too weak, and although it was defective in having a Legislature in only one branch, yet even thus it was better than the present form, where it was impossible to perceive *any limits*. I have used as near as possible his very words; for this is one of the most unexpected phases in the waxing and waning opinions of this gentleman concerning the French Revolution. He also mentioned to me the extreme difficulty he had in finding fit characters for appointments in Louisiana, and said he would now give *the creation* for a young lawyer of good abilities, and who could speak the French language, to go to New Orleans as one of the Judges of the Superior Court in the Territory. The salary was about two thousand dollars. We had been very lucky in obtaining one such Judge, in Mr. Prevost, of New York, who had accepted the appointment, and was perfectly well qualified, and he was in extreme want of another. I could easily have named a character fully corresponding to the one he appeared so much to want. But if his

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observations were meant as a *consultation* or an intent to ask whether I knew any such person I could recommend, he was not sufficiently explicit. Though if they were not, I know not why he made them to me. He further observed that both French and Spanish ought to be made primary objects of acquisition in all the educations of our young men. As to Spanish, it was so easy that he had learned it, with the help of a Don Quixote lent him by Mr. Cabot, and a grammar, in the course of a passage to Europe, on which he was but nineteen days at sea. But Mr. Jefferson tells large stories. At table he told us that when he was at Marseilles he saw there a Mr. Bergasse, a famous manufacturer of wines, who told him that he would make him any sort of wine he would name, and in any quantities, at six or eight sols the bottle. And though there should not be a drop of the genuine wine required in his composition, yet it should so perfectly imitate the taste, that the most refined connoisseur should not be able to tell which was which. You never can be an hour in this man's company without something of the marvellous, like these stories. His genius is of the old French school. It conceives better than it combines. He showed us, among other things, a Natural History of Parrots, in French, with colored plates very beautifully executed.

26th. After the Senate adjourned, I went into the lobby of the House of Representatives, and heard a debate on a petition from Princeton College for the exemption of duties on certain books imported by them. The decision was against the exemption. We had company at home this evening—Mr. and Mrs. Thompson, Mr. Sheldon, Mr. Aikin, a Mr. Thomas, of Baltimore, Mr. Chapman, and Mr. Tabbs. Mr. Sheldon says the impost at New Orleans will yield three hundred thousand dollars a year, and that the Western States are supplied with foreign goods entirely from Philadelphia and Baltimore. Mr. White, of Delaware, this day told me that Mr. Wright had offered him and requested him to sign an address to Governor Bloomfield, of New Jersey, soliciting him to direct that a *nolle prosequi* should be entered, on the part of the State, on the indictment for murder found by the Grand Jury of the County of Bergen against Mr. Burr; that this address was drawn up

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by Mr. Giles, and that it was to be signed by those members of the Senate who judged proper, *as Senators of the United States.* Mr. White said he had asked time to consider of it, having some scruple of its propriety. For although there might be different opinions on the subject of duelling, he doubted whether he ought so to fly in the face of all the laws of the country, as was proposed by this address.

29th. At last the signal of approaching business is given. Mr. Giles this day moved the appointment of a committee to draw up and report rules of proceeding for the Senate in cases of impeachment generally. We are now to have another specimen of what impeachments are under our Constitution. This Mr. Giles has long been one of the most inveterate enemies of Judge Chase in the United States, and while a member of the House of Representatives, two years ago, declared he would himself impeach him were he not compelled by the state of his health to relinquish his seat in Congress. He has now become one of the judges to try him, and what chance of impartiality is to be expected from him may be easily imagined. But the issue of this prosecution, like that of Judge Pickering last winter, must be settled *out of doors.* And for this purpose, Mr. John Randolph, the prosecutor, and Mr. Giles, the judge, are in daily conference together. It is said they have been obliged to delay the subject for some time on account of the difficulty of managing Dr. Mitchell, who has always been averse to the impeachment, and who has now become a Senator. But when I recollect the conduct of many Senators at the last impeachment, and especially that of Mr. Bradley, of Vermont, I have little faith in any resistance of principle in this Senate against the resolute violence of the leaders in the House of Representatives.

30th. Mr. Giles's committee to propose and report rules for impeachment was this day appointed—of five—Messrs. Giles, Baldwin, Breckinridge, Bradley, and Stone. The spirit of party is apparent even in this selection. Mr. Randolph, also in the House of Representatives, brought forward two new articles of impeachment against Judge Chase. So the proceedings of the accuser and judge proceed *pari passu.* Mr. Pickering told me he should give notice of asking leave to bring forward the reso-

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lution for amending the Constitution on Monday, and the resolution itself on Tuesday. I translated another French song this evening.

December 3d. Mr. Pickering gave notice of his intention to ask leave to-morrow to bring in a resolution for an amendment to the Constitution, conformably to our instructions. Went into the lobby of the House of Representatives, and found them in committee of the whole on the articles of impeachment reported against Judge Chase. They agreed to them all, and reported them to the House.

4th. In the evening I was employed in drawing up an article for amendment of the Constitution, under our instructions from the Massachusetts Legislature. Mr. Pickering and myself have both drawn several without satisfying ourselves. It is difficult to draw it in such a manner as to avoid collision with another part of the Constitution.

6th. The House of Representatives sent this morning a message to the Senate, with three resolutions, purporting that they had agreed to the articles of impeachment against Judge Chase, had appointed seven managers to conduct it, and had directed the managers to bring the articles to the Senate. Some question then arose as to the mode of proceeding. Mr. Giles's committee were not ready to report, and it was agreed to take time until to-morrow for consideration. Some other business, of little consideration, was transacted. Meantime, the managers from the House had come to the door and demanded admission, bringing the articles with them. The only way the Vice-President had to keep them out was to declare the Senate adjourned, which he instantly did on a motion which had luckily been made some time before.

7th. Mr. Pickering this day offered his resolution for an amendment to the Constitution, which lies for consideration. At one o'clock the managers from the House, of the impeachment against Judge Chase, brought up their eight articles, which were read by Mr. John Randolph. Three resolutions of the inhabitants of Alexandria against the cession of that county to the State of Virginia were received by the Vice-President, enclosed in a letter from the Mayor of that city. But they were

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not read. The resolutions, though couched in the most respectful language, deny in a spirited manner the right of Congress to cede the territory and people to any State, and declare it would be extremely injurious to their interest to be ceded to Virginia. Our Vice-President therefore did not dare to have them read. For Mr. John Randolph has been raving all this session in favor of the measure against which the Alexandrians protest, and Mr. Giles drew up and procured the subscriptions of the party in Senate to the address to Governor Bloomfield, asking him to screen Mr. Burr from trial for murder, of which he now stands indicted. We adjourned over to Monday, and next week shall doubtless go seriously to business.

10th. In Senate, a summons to Judge Chase was agreed to, returnable 2d January, 1805, to be served fifteen days beforehand. Mr. Jackson, of Georgia, was anxious to have it returnable 1st January, to begin the year with the trial, and finish it as soon as possible. He said he found by the Northern newspapers that the people began already to say it would prove a sort of Warren Hastings business; and he, for his part, was for beginning and going through it without delay. With respect to the rules of impeachment reported by Mr. Giles and his committee, he seems to wish for debate, but cannot get it. Debate on this subject with him or his party would be ridiculous, after the experience of the last session.

11th. In Senate scarcely anything was done but confirming sundry nominations to office. Among the rest was Benjamin Austin, Jr., to be Commissioner of Loans for Massachusetts. The co-operation of the Senate in all appointments is at present a mere formality, and a very disgusting formality. Mr. Franklin this day called for the Senators of the States to which the candidates belonged to testify to their characters. When Austin's name was read, as nobody rose, I said that I knew Mr. Austin, but could say nothing of him. Mr. Ellery then rose, and said he was a man of *very great abilities*, and *the most respectable character*. He was appointed without contradiction. So that Mr. Franklin's solicitude was only to obtain a panegyric upon the persons nominated, which is indeed the unvaried course of proceeding.

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12th. The remainder of the nominations to offices which were yesterday postponed in Senate were this day confirmed. It seemed as if some opposition would be made to the re-appointment of Mr. Claiborne as Governor of the Territory of Orleans; but when the vote was taken, only one voice answered in the negative. William Lyman was appointed Consul to London. General Smith said unless somebody would attest his competency, *he* should vote against him. Mr. Giles, Dr. Mitchell, and Mr. Bradley took that task upon them. Mr. Giles said he derived all his knowledge of him from having sat with him as a member of the other House. Smith was a member of the House himself at the same time, and it seems had not discovered Lyman's merits; but he was satisfied with the attestations now given, and acquiesced in the appointment.

15th. I was so unwell and hoarse that I should have confined myself to the house this day; but Mr. Pickering yesterday invited me to dine with him, in company with the Louisiana deputies, Messrs. Sauvé, Derbigny, and Détréhan. I went accordingly, though the weather was very bad. The two former of these gentlemen speak English very well. The last, who is a native of Louisiana, speaks only French. They do not appear very sanguine of success in their present negotiation. They are, however, very much dissatisfied with the state of things in their country, and above all with Governor Claiborne, whom they most cordially detest. The prohibition of the slave trade is also an object of great discontent to them. If they could be quieted on these two points, I think they would return home well pleased. But it is not probable they will be gratified in either.

20th. In Senate the principal subject considered was the report of the Committee for Rules on Impeachments. Mr. Giles gave us his theory of impeachments under our present Constitution. According to him, impeachment is nothing more than an enquiry, by the two Houses of Congress, whether the office of any public man might not be better filled by another. This is undoubtedly the source and object of Mr. Chase's impeachment, and on the same principle any officer may easily be removed at any time.

21st. Mr. White this day moved in Senate an adjournment to

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Monday, the last day of this month; upon which some debate was had, and the subject subsided, until next Monday. There was little business to do, and the adjournment took place early. Sitting by the fireside afterwards, I witnessed a conversation between Mr. Giles and Mr. Israel Smith, on the subject of impeachments; during which Mr. John Randolph came in and took part in the discussion. Giles labored with excessive earnestness to convince Smith of certain principles, upon which not only Mr. Chase, but all the other Judges of the Supreme Court, excepting the one last appointed, must be impeached and removed. He treated with the utmost contempt the idea of an *independent* judiciary—said there was not a word about such an independence in the Constitution, and that their pretensions to it were nothing more nor less than an attempt to establish an aristocratic despotism in themselves. The power of impeachment was given without limitation to the House of Representatives; the power of trying impeachments was given equally without limitation to the Senate; and if the Judges of the Supreme Court should dare, AS THEY HAD DONE, to declare an act of Congress unconstitutional, or to send a mandamus to the Secretary of State, AS THEY HAD DONE, it was the undoubted right of the House of Representatives to impeach them, and of the Senate to remove them, for giving such opinions, however honest or sincere they may have been in entertaining them. Impeachment was not a criminal prosecution; it was no prosecution at all. The Senate sitting for the trial of impeachments was not a court, and ought to discard and reject all process of analogy to a court of justice. A trial and removal of a judge upon impeachment need not imply any criminality or corruption in him. Congress had no power over the person, but only over the office. And a removal by impeachment was nothing more than a declaration by Congress to this effect: You hold dangerous opinions, and if you are suffered to carry them into effect you will work the destruction of the nation. *We want your offices*, for the purpose of giving them to men who will fill them better. In answer to all this, Mr. Smith only contended that *honest error of opinion* could not, as he conceived, be a subject of impeachment. And in pursuit of this principle he proved

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clearly enough the persecution and tyranny to which those of Giles and Randolph inevitably lead. It would, he said, establish *a tyranny over opinions*, and he traced all the arguments of Giles to their only possible issue of rank absurdity. In all this conversation I opened my lips but once, in which I told Giles that I could not assent to his definition of the term impeachment. It was easy to see that Giles was anxious about Smith's vote on the impeachment of Judge Chase. His manner was dogmatical and peremptory. Smith's was not merely mild and hesitating, but continually conceding too much, and, to use an expression of Burke, "above all things afraid of being too much in the right." Mr. Smith has so often expressed these opinions that the friends of Judge Chase flatter themselves he will vote for an acquittal on the trial. His opinions were correct on the impeachment of Judge Pickering, but his vote abandoned them. Indeed, Giles's doctrines are very natural inferences from those upon which that case was decided, and I never can have any confidence in the resolute integrity of those who shrunk from the convictions of their own consciences at that time. It is obvious that on Smith's principles Chase must be acquitted, for the articles of impeachment contain no charge which indicates corruption or turpitude. So that Smith and Giles were really trying the judge over the fireside. Old Mathers, the door-keeper, saw this so plainly that after they were gone he said to me, "If all were of Mr. Giles's opinion, they never need trouble themselves to bring Judge Chase here." I perceive, also, that the impeachment system is to be pursued, and the whole bench of the Supreme Court to be swept away, because *their offices are wanted.* And in the present state of things I am convinced it is as easy for Mr. John Randolph and Mr. Giles to do this as to say it.

24th. The rules of proceedings in cases of impeachments, reported by Mr. Giles, were again taken up this morning. Mr. Bradley had made a motion, last Thursday, for an amendment, which Giles and several others had opposed. It was not then decided, the Vice-President having stopped Mr. Bradley after he had spoken twice to his motion and was rising to speak a third time. The rigorous rule of Senate allows a member to

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speak only twice to the same motion, but it is not always insisted on. The members expressed a desire to hear Mr. Bradley, but he was piqued at the check given him, and quitted the House. He has not been in since, being detained at his lodgings by a severe cold, as I am informed. I therefore moved that the subject might be postponed until he could attend. But Mr. Giles insisted upon taking it up now, and of course my motion to postpone was rejected. Giles then offered to postpone, or to put the previous question upon Mr. Bradley's amendment; but this the Vice-President declared to be not in order. The question on it was therefore immediately taken, and it was negatived. Among the rules reported was the form of the oath to be taken by the President and members previous to the trial, and also the form of the oath to be taken by witnesses. The rule directed that the oath to be taken by the President should be *administered by the Secretary;* and this part of the report was adopted, without any objection by Mr. Giles or any other person. But the words *in open Court*, and *this Court*, were in the reported rules, and Mr. Giles moved to strike them out, on the ground that the Senate, sitting for the trial of an impeachment, is not *a Court.* His only reason for this is that the Constitution, in giving them the power to try impeachments, does not expressly style them a Court; and he is for avoiding all *constructions* of the Constitution, and adhering to the letter. His *motive* for this antipathy to the term *Court* is, that the Senate, in their proceedings on this and the future impeachments which he meditates, may be absolved from all the rules and principles which restrain and bind down *courts of justice* to the *practice* of justice. He wants for his purpose liberty, unbounded as the sea; and to obtain it, his first expedient is to discard and reject the idea that our proceedings ought, as nearly as possible, to conform to the proceedings of a judicial court. But it appears he was not aware that his theory may be turned against himself, and stop us short in the progress of our impeachment, for want of *authorities* to proceed, instead of letting us loose from all the barriers that shelter innocence in the forms of judicial courts. However, it was vain to urge any objection against his motions to strike out the

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word Court, and it was in two instances struck out accordingly. But the rule which reported the form of the oath to be taken by witnesses had not said by whom it should be administered. Upon which I moved to insert the words "by the Secretary." This immediately gave rise to a long debate. General Jackson at first opposed my motion, on the ground that the words were *unnecessary*, as the Secretary would swear the witnesses of *course*. But Mr. Giles took very different ground, and not only denied the Secretary's power to administer the oath of course, but the power of the Senate itself to authorize their Secretary to administer an oath at all. He therefore proposed the expedient of sending for a common magistrate to come and administer all the oaths. But it was soon discovered that unless the Senate, sitting for the trial of impeachments, possessed the powers incidental to judicial courts, they had no more power to issue writs, summonses, and subpœnas than to administer oaths; and, also, that all the proceedings last winter against Judge Pickering were unconstitutional, and he has not been legally removed. The longer the debate continued, the deeper Mr. Giles and his party got involved in difficulty. They could not vote with me against him, for that would have been treason to the party. They could not vote with him against me, without checkmating their own impeachment. General Jackson, who at first had opposed my amendment, now came round and advocated it with his customary warmth; and finally proposed himself a mere variation in its phraseology, to which I instantly consented, and it was carried by a large majority. In this debate the President suffered Mr. Giles to speak three times without checking him as he did Mr. Bradley last week. Indeed, his partialities to Giles have been frequent and obvious this session. His impartiality at the last session was exemplary and without exception. But there is a key to everything. The Vice-President is under an indictment by a grand jury for murder; and Giles drew up and circulated an address to the Governor of New Jersey, requesting him to stay the prosecution.

31st. I attended earlier than usual at the Senate chamber, to meet the committee on the bill to declare Cambridge a port of

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delivery. Agreed upon a report, which was made. Met also the committee on the Invalid bill; both the other members are against its principle. In Senate the principal subject of debate was the Impeachment Rules. Mr. Giles introduced a new one, which, together with those already passed, excludes all debate and discussion on any question arising in the course of the trial. This appears to me improper. I therefore moved to strike out the words "and without debate," which Giles of course vehemently opposed, and effectually. I am suspicious, however, the question will come up again before the trial is over.

Day. As the last month.

The year which this day expires has been distinguished in the course of my life by its barrenness of events. During its first three and last two months I was here attending my duty as a Senator of the United States. The seven intervening months were passed in travelling to and from Quincy, and in residence at my father's house there. The six months spent at Quincy were not idle. Indeed, I have seldom in the whole course of my life been more busily engaged. I gave some attention to agricultural pursuits, but I soon found they lost their relish, and that they never would repay the labor they require. My studies were assiduous and seldom interrupted. I meant to give them such a direction as should be useful in its tendency; yet on looking back, and comparing the time consumed with the knowledge acquired, I have no occasion to take pride in the result of my application. I have been a severe student all the days of my life; but an immense proportion of the time I have dedicated to the search of knowledge has been wasted upon subjects which can never be profitable to myself or useful to others. Another source of useless toil, is the want of a method properly comprehensive and minute, in the pursuit of my inquiries. This method has been to me a desideratum for many years; I have found none in books; nor have I been able to contrive one for myself. From these two causes I have derived so little use from my labors that it has often brought me to the borders of discouragement, and I have been tempted to abandon my books altogether. This, however, is impossible; for the habit has so long been fixed in me as to

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have become a passion, and when once severed from my books I find little or nothing in life to fill the vacancy of time. I must, therefore, continue to plod, and to lose my labor; contenting myself with the consolation that even this drudgery of science contributes to virtue, though it lead not to wealth or honor. In respect to my family, it has pleased Heaven to extend peculiar favor to me during this year. My parents, my wife and children, have all been preserved to me, though my mother's state of health has often occasioned me much anxiety. My own health has been indifferent, but not bad. My property has remained at a stand, and my political prospects have been daily declining. On the whole, I ought to conclude the year with the sincerest gratitude to Heaven for the blessings with which I have been indulged.

January 2d, 1805. This was the day appointed for the appearance of Judge Chase to answer the articles of impeachment against him. At twelve o'clock the Senate went from the committee room into their hall, which has been prepared for the occasion. Mr. Chase was called, and appeared. He requested and obtained the permission of a seat, upon which he read a paper of some length, requesting time to prepare his answer, and for trial, until the first day of the next session. He was interrupted several times by the Vice-President, but proceeded and read his paper through. The Vice-President then required him to reduce his request to writing in the form of a motion, which he did. The Vice-President informed him the Senate would meet again to-morrow, and the Senate (without adjournment of the Court) returned to the committee room. A debate of four hours immediately ensued on the next step to be taken. Mr. Giles was for fixing on a day for trial, without taking any notice of Mr. Chase's request. He repeated over again his whole system of impeachments; contended there was no occasion for any answer or pleading, other than simply of not guilty; that we ought to discard all precedents derived either from the English practice upon impeachments, or from the proceedings of our own courts of justice; and that Mr. Chase's motion was no more than a request for another *appearance* day. This theory, however, has got much weakened since it is

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brought to the test. The rules as reported by Mr. Giles and adopted by the Senate had departed from the form of proceeding in the case of Mr. Pickering. The oath required by the Constitution was at that time taken before any *decision* made in the cause. By Mr. Giles's rule it was to be taken only when the trial between the parties should commence. But now that a decision was to be made, on which the whole cause might depend, the question as to the necessity of being under oath was again brought up; and, after long debate, the decision was that the oath should be taken to-morrow morning. The other points were left undecided.

3d. I attended some time this morning, and examined some books previous to the meeting of the Senate. When they met, Mr. Bradley made a motion to assign a day (in blank) to receive the answer of Mr. Chase. Mr. Giles moved to assign a day *to receive the answer and proceed to trial.* After a debate of about two hours on the respective merits of these questions, the Senate passed from the committee room to their hall. The oath was administered to the President by the Secretary, and to the members by the President. The questions were then taken by yeas and nays on striking out Mr. Bradley's motion—twenty yeas, ten nays; on inserting Mr. Giles's—twenty-two yeas, eight nays. And then on the order thus completed, twenty-one yeas, nine nays. So the 4th day of February is fixed for receiving the answer, *and proceeding to trial.* On this system the trial will be on the articles alone, and no regard paid to the answer, whatever it may be; as was done in England in the case of Lord Strafford. Mr. Giles himself seems ashamed of the virulence with which he pursues the Judge; for after he had made his motion in the committee room, and it had been two hours discussed, just before we went into the hall, I heard him ask Mr. Israel Smith to make it there, saying he did not like to make it himself. Smith, however, declined, and Giles made it.

4th. I met Mr. Smith of Maryland, and Mr. Giles, this morning, on the Georgetown Dam bill. Mr. Giles again referred to a compact between the States of Virginia and Maryland, about which there was much debate when this bill was considered in

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the House of Representatives. I stated my reasons for believing that this article of the compact was null and void ab initio, as violating the Articles of Confederation; and if not so, yet absolutely annulled by the present Constitution of the United States. The article of the Confederation to which I referred, neither of these gentlemen recollected; nor was it mentioned during the whole debate in the House. I am afraid there is some solution to this objection of which I am not aware. It certainly took both my colleagues by surprise—so completely that they had no plausible answer to give it. I know that by not mentioning it at all in committee, but reserving it for the fire of debate on the report, it would have been more decisive; but on full deliberation I thought this mode of proceeding would not be fair; that in honorable dealing I ought to give them the ground I mean to take, though it will give them an opportunity to be prepared for it, and even of taking undue advantages to refute it if they can. If Giles has or can find a *good* reply to my objection against the compact, he will use me as candidly as I have him, and mention it in committee. If he can hunt up nothing but quibbles to support him, it is of no great consequence whether he opens the box of them in committee or in the House. The bill itself is of very little importance; but this *compact* has drawn some important constitutional questions into the discussion. As the grounds upon which I hold its nullity have been taken by no other person, and as they are, in my opinion, much stronger than any that were taken in the House, I am afraid that the pride of opinion and a paltry vanity mingles itself with my judgment on this occasion. I know how often this happens to me; and it often ends in mortifications, as is most just. The committee are to meet again to-morrow.

In Senate, various reports were made, and many bills at the second reading committed. As our committees are all chosen by ballot, the influence and weight of a member can be very well measured by the number and importance of those upon which he is placed. In this respect I have no excitements of vanity. But, as much of the labor of business is transacted in committees, an exemption from those which are important

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is also an exemption from toil, and leaves proportionable leisure. I reported the Invalid bill without amendment; that is, both my associates in the committee are against it on principle. A committee was raised on the Louisiana Memorial.

9th. I called this morning upon Mrs. Hazen, according to her request. Her object was to urge me to vote for the bill for her relief, as it came from the House of Representatives. And her appeal to the sentiments of humanity was very strong; but she could give me no substantial apology for departing from the straight path, which in this case absolute justice requires. She says her bread depends upon it. I wish it did not; for I cannot give her the property of another, even to supply her with bread. The bill was again debated the greatest part of this morning, and finally committed to a new select committee; as the debate proceeds, opinions appear to diverge more and more; so that I think it doubtful whether the bill will pass in Senate at all.

11th. The debate in Senate on the amendment proposed ($10,000 bonds additional to value of ship) to the Armed Vessel bill[1] was resumed, and continued until past three o'clock. The question on the amendment was then taken by yeas and nays—yeas twelve, nays thirteen.

Dined at the President's, with my wife. General Smith and his brother, of the navy,[2] Mr. William Smith, formerly a member of Congress, from Baltimore, Mr. Williams and his two daughters, Mrs. Hall and Mrs. Hewes, were there. So was the Vice-President. The President appeared to have his mind absorbed by some other object, for he was less attentive to his company than usual. His itch for telling prodigies, however, is unabated. Speaking of the cold, he said he had seen Fahrenheit's thermometer, *in Paris*, at twenty degrees below zero; and that, not for a single day, but that for six weeks together it stood *thereabouts*. "Never once in the whole time," said he, "so high as zero, which is *fifty* degrees below the freezing point." These were his own words. He knows better than all this;

[1] "An act to regulate the clearance of armed merchant vessels."

[2] Robert Smith, Secretary of the Navy, afterwards Secretary of State under Mr. Madison.

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but he loves to excite wonder. Fahrenheit's thermometer never since Mr. Jefferson existed was at twenty degrees below zero in Paris. It was never for six weeks together so low as twenty degrees above zero. Nor is Fahrenheit's zero fifty degrees below the freezing point. I asked him upon what foundation he had, in his Notes on Virginia, spoken of the river Potomac as common to Virginia and Maryland. He said that it was on *the compact* between the two States—that the charter of Maryland had included the bed of the river, but the compact had made it common. It is singular, however, if this be the case, that among the vouchers expressly given in the book this compact is not at all mentioned, though a compact with Pennsylvania is. He added, however, that as to all the arguments inferred from these facts in the debate of the House of Representatives (alluding to Mr. J. Randolph's arguments),[1] he considered them as mere metaphysical subtleties, and that they ought to have no weight. This conversation was interrupted by the entrance of General Turreau[2] and Captain Marin; immediately after which we took leave.

15th. Mr. Anderson was chosen President pro tem.; and the usual orders passed to notify the House of Representatives, and the President, of the choice. Mr. Bayard appeared and took his seat. The Georgetown Dam bill was debated; and both the amendments proposed by Mr. Giles and reported by the committee were rejected. The bill passed to the third reading. Upon the first amendment, respecting the pretended compact between Maryland and Virginia, I took a large part in the debate, and indeed an exclusive one on the side I advocated, as to the question of right. There were not more than seven members (I think not more than six) who rose in favor of the amendment. On this occasion, as on almost every other, I felt most sensibly my deficiency as an extemporaneous speaker. In tracing this deficiency to its source, I find it arising from a cause that is irreparable. No efforts, no application on my

[1] The debate in the House on the 28th of November previous, when Mr. Randolph had made his remarks, turned upon the jurisdiction over the Potomac River, which separated Virginia from Maryland. See Benton's Abridgment, vol. iii. p. 290.

[2] At that time Minister from the French Republic.

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part, can ever remove it. It is slowness of comprehension—an incapacity to grasp the whole compass of a subject in the mind at once with such an arrangement as leaves a proper impression of the detail—an incapacity to form ideas properly precise and definite with the rapidity necessary to give them uninterrupted utterance. My manner, therefore, is slow, hesitating, and often much confused. Sometimes, from inability to furnish the words to finish a thought commenced, I begin a sentence with propriety and end it with nonsense. Sometimes, after carrying through an idea of peculiar force to its last stage, the want of a proper word at close drives me to use one which throws the whole into a burlesque. And sometimes the most important details of argument escape my mind at the moment when I want them, though ever ready to present them before and after. Hence I never know when I have finished any given subdivision of my subject. And hence, in making the transition from one part of it to the other, I am often compelled to take a minute or two for recollection, which leaves a chasm of silence always disagreeable to the hearers. I must, therefore, never flatter myself with the hope of oratorical distinction. At the same time, it is possible that, by continual exertions, application, and self-censure, part of the ill effect of these infirmities may be remedied. One rule for this purpose will be, to take part in the debate only at its late stages, and after the ground has been travelled over by others; to take minutes of the strongest points assumed by the opponent; and to methodize them by very short notes before commencing a reply. Another is, attentively to observe the *manner* of the best speakers—to mark whether they are not occasionally struggling with some of the same difficulties which I so often experience, and how they get over them. A third is, to take great pains to understand the subject upon which I speak. If these endeavors will never suffice to give me the palm of eloquence, they will at least make me better qualified to be useful in the station where I am placed.

17th. The bill for the relief of Charlotte Hazen passed, according to the report of the last committee; that is, giving her a pension of two hundred dollars a year for life. The history

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and progress of this bill furnishes a striking example of the motives and means by which legislative assemblies are governed. At the beginning of our Revolutionary War, General Hazen, this lady's husband, was residing in Canada, and on half-pay as a lieutenant in the British service. Taking the American side of the question, he was, on the 22d of January, 1776, appointed by Congress Colonel of a Canadian regiment to be raised in the service of the Union; and a resolution passed the same day that the United Colonies would indemnify Colonel Hazen for any loss of half-pay he might sustain in consequence of his entering into their service. In 1781 he was struck off from the British half-pay list; but though in his lifetime he repeatedly presented his claim for indemnity, it was never settled, for want of proof on his part to establish the fact. In February, 1803, he died. And since his death his executors, Moses White and Mrs. Hazen, have petitioned for this indemnity. Thus stands the open and ostensible demand. But Mrs. Hazen, the widow, is here in person to pursue the claim. Moses White, the co-executor, is not here. General Hazen's estate is so deeply indebted to Moses White, that if the grant were made conformably to the claim it would be absorbed for the payment of that debt. Mrs. Hazen sends for individual members of Congress, requesting them to call and see her at her lodgings. There she represents herself as in great distress, dependent upon this grant alone for subsistence, and entreats that the grant may be to her, to the exclusion of her co-executor and of all creditors of her husband. This manœuvre partially succeeded in the House of Representatives, where the bill was founded on a formal admission of the justice of the claim and yet directed that it should be paid exclusively to her use. When it came into the Senate it was opposed on various grounds. The first select committee reported a grant to her of a sum of money, about two thousand dollars. This was rejected. Mr. Moore, of Virginia, and Mr. Franklin, of North Carolina, declared themselves of opinion that the claim was a just one, but that Congress could not interfere with the course of the law to divert the money from its proper destination. Being of the same opinion, I moved to substitute the words

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legal representatives instead of Charlotte Hazen. After a long debate upon this, the whole was committed to a second select committee, of which Mr. Franklin was a member, and which reported a pension to Charlotte Hazen, without any reference to the CLAIM of the executors. Mr. Maclay, the chairman of the committee, said their object had been to *avoid* any opinion on the validity of this claim. Mr. Franklin said he considered it as a virtual *rejection* of the claim. And thus the bill passed, in spite of every effort to amend or recommit it; both Mr. Franklin and Mr. Moore, the members who had at first most vehemently opposed any diversion of the grant from its legal course of payment, now voting for it. The pension is of two hundred dollars, to commence from 1st January, 1805. It is one of many instances I have witnessed how impossible it is to hold a legislative assembly to any correct principle for the settlement of claims. It also proves how much more powerful an appeal to the humanity and benevolence of such an assembly is than a call to their justice. A third point demonstrated by this transaction is, the effect of a petitioner's presence, and intrigue, in operating upon public measures. Had Moses White, the co-executor, been here, I do not believe the grant would have been as it now stands. A debate took place on a bill concerning certain roads, but was not completed. A question arose upon an amendment proposed by Mr. Franklin. The ayes were twelve, the noes eleven. Mr. Anderson, the President pro tem., was called upon to vote, but declined, on a doubt as to his right, and declared the amendment carried. This gave rise to a question of order as to the right of a President pro tem. to vote in other cases than that of an equal division. Mr. Anderson declared that, had he voted, it would have been in the negative; in which case Mr. Franklin's amendment would not have been carried. After some discussion, a member of the majority moved a *reconsideration*, for another chance to try the question, and it was agreed to.

18th. In Senate. The House agreed to the bill, as it passed the Senate yesterday, with an amendment commencing the pension at the death of General Hazen, in February, 1803. To this the Senate agreed, and thus the bill has passed. The bill con-

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cerning certain roads was again taken up, and Mr. Franklin's amendment again debated. This debate disclosed an attempt, on the part of those who brought in and supported the bill, which I consider as no better than a fraud upon the Union. By the law of Congress authorizing the North Western Territory to form itself into a State, Congress made several propositions to the Legislature of that Territory; among which one was, that they should agree not to tax the lands of the United States, which might be sold, for five years after their sale—in consideration of which the United States would apply one-twentieth part, or five per cent., of the net proceeds of the land sold, towards laying out *roads* from the Atlantic *to* the State of Ohio, *and through the same.* The convention that formed the Ohio Constitution agreed to these proposals of Congress on condition of certain farther additions to them, and a *modification* of this one. The modification was that three per cent. of the net proceeds of the lands *so offered to be appropriated* by Congress should be expended on roads *within* the State of Ohio, and under the direction of its Legislature. To this *modification* Congress agreed, and, by a subsequent law, directed the payment of this three per cent. to the agents of the Ohio Legislature; and it has accordingly been paid to them ever since. This then left two per cent. of the net proceeds, as offered by Congress, to be applied to laying out roads from the Atlantic *to* the State of Ohio. But in this bill, as introduced by Mr. Worthington, *one-twentieth* part of the net proceeds was appropriated to laying out roads *to* the State of Ohio; and that on pretence that it was already authorized by the former law of Congress. Mr. Franklin's amendment was, to strike out the words "*one-twentieth part*," and insert "*remaining two per cent.*" This brought the whole subject to the test of examination, and Worthington, with his supporters, gravely maintained that the modification meant an addition of three per cent., and that Congress were already bound to appropriate eight per cent. to the roads, viz., one-twentieth by the first offer, and three per cent. by the *modification;* which, as Mr. Stone, of North Carolina, observed to me, was only contending that a modification of five means eight. And it was the merest accident in the world that

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this stratagem did not yesterday succeed. The investigation this day was more full, and the questions were taken by yeas and nays—for striking out, sixteen yeas, nine nays; for inserting, fourteen yeas, eleven nays—Mr. Anderson voting in the negative on both. After going through the bill, as in the House, Mr. Franklin offered an amendment, which the President declared not in order, but said it might be offered at the third reading. Mr. Dayton presented a petition for opening a passage at the rapids of the Ohio, and moved its reference to a select committee. When the ballots were returned there were only thirteen, not making a quorum. The members were called in from the lobby, and the President ordered a new ballot —much against the will of Mr. Dayton, who thought the first ballot good, for those who had voted, and that the other members coming in should have added their votes to those first received. It is surprising how these questions of order are multiplied whenever a person unused to preside takes the chair. As we were riding home, Mr. Smith spoke to me concerning Mr. Chase's impeachment, against which he voted at the hazard of displeasing his party, which, he said, he had effectually done. But he added that he did not care for that, as he had acted conformably to his own sense of duty; and made several other observations indicative of an honest and independent mind. He told me an instance of a procedure by Mr. Tucker, the Virginian judge, which he said was no doubt legal, but which was much harsher than any thing charged against Judge Chase.

21st. In Senate Dr. Logan presented the petition of certain Quakers, requesting the interference of Congress as far as they have power to check the slave trade. A question was made, whether the petition should be received, and very warmly debated for about three hours; when it was taken by yeas and nays—yeas nineteen, nays nine. A motion of reference to the committee who have the petition from Louisiana, in favor of the slave trade, before them—taken without yeas and nays—was negatived, fourteen ayes, thirteen nays; and the President, who has got over his scruple against voting, by forming a tie, prevented its passing. This same petition was presented to the House of Representatives, read, and referred to a committee

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without any objection. The reason for this difference of treatment to the same papers I take to be because the debates of that House are always published, and those of the Senate very seldom; nor were there any stenographers this day present.

22d. The weather excessively cold. In Senate, Mr. Jackson made a long speech upon a Treaty with the Creek Indians. But there was not much attention paid to it, or to any other business this day transacted; most of the members being almost all the day at the firesides in the lobby. I was put on a committee on the bill to amend the charter of Georgetown. A bill for exempting the clerks in the executive departments from militia duty was rejected at the second reading, by the casting vote of the President. A bill declaring the assent of Congress to an Act of the State of North Carolina was also debated in quasi committee. It is a provision for the maintenance of foreign seamen arriving in the port of Wilmington and being sick there. I objected against this bill as forming a *precedent* for State legislation upon a subject peculiarly belonging to the regulation of commerce, and therefore exclusively within the powers of Congress. My scruples did not appear to make much impression. The bill was, however, finally recommitted. Mr. Otis told me that Mr. Early, one of the managers on the impeachment of Judge Chase, had applied to him, *in private conversation*, for the names of the witnesses subpœnaed by Mr. Chase; and asked me whether there would be any impropriety in telling him. I told him I thought the safest way for him in any such case of application would be to refer to the Senate for an order on the subject.

24th. In Senate, a variety of business was transacted. The Clearance bill postponed on account of Mr. Tracy's absence; he having a motion relating to it which he intends to propose. My motion for an order to print the Impeachment Journals was taken up, and finally committed to Mr. Giles, Mr. Baldwin, and myself. It was opposed by Mr. Bayard—a quarter from which I did not expect opposition. The amendments reported by the committee to the Articles of War were taken up; Mr. Bayard opposed one of them, and I objected against another. I took no part in the discussion on the article opposed by him; but

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he supported the article reported by the committee against my objection. From these circumstances I conclude I shall often find myself in opposition with him, which increases considerably the difficulties of my situation, and requires redoubled efforts, both of application and of circumspection, properly to steer my course.

25th. The committee on the bill to amend the charter of Georgetown met this morning; and a committee from the corporation came before them, with some amendments which they proposed introducing into the bill. We had only time to read over the bill, which is long, and the amendments, before the Senate met. The bill containing the Articles of War was debated. It is a very long bill, and a very strong disposition appeared to carry it through all its stages without reading it at all. It had already passed the House of Representatives in this manner. Its defects of various kinds were numerous, and among the most conspicuous was a continual series of the most barbarous English that ever crept through the bars of legislation. In many instances the articles prescribing oaths, and even penalties of death, were so loosely and indistinctly expressed as to be scarcely intelligible, or liable to double and treble equivocation. Besides this, there were many variations from the old Articles, which I did not approve. I did therefore, under the conviction of its necessity, insist upon the reading of the bill through by paragraphs. The President, the Senate, and most particularly the chairman of the select committee to whom the bill was before referred, manifested great impatience at this. I expected as much before I determined upon my course on this occasion, and was therefore prepared to meet all this impatience with patient perseverance. I offered many amendments which merely went to make the Articles read in grammatical English and common sense. Most of these were adopted. Other amendments, to substantial parts of the Articles, I also proposed—some few of which, but very few, were carried. Other members, particularly Mr. White and Mr. Wright, offered various amendments, which were as unwillingly received as mine. At near four o'clock, the Senate had gone through only thirty-five of forty-three Articles. A motion for

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adjournment was made and rejected. General Jackson then moved to recommit the bill to a select committee, which was agreed to. It was proposed to refer it to the former committee, of which he was chairman. But this he opposed, saying that committee had already offered all the amendments they thought necessary to the bill, and he hoped it would be committed to some of the gentlemen who offered so many amendments of *who* and *such* and *as*—alluding to me. Accordingly, the bill was recommitted to me, with Mr. Wright and Mr. White; immediately after which the Senate adjourned until to-morrow. Mr. Jefferson, in his Manual, says it is generally best not to contend against the impatience of the House, as it is seldom shown without reason. I believe this to be good advice. Yet I should have been ashamed hereafter to read in the statute books a law upon so important a subject, so grossly and outrageously defective and blundering in every part of its composition as this, with the consciousness that I had been a member of the legislature which enacted it. It was impossible to attempt any amendment without raising General Jackson's temper. For he, having been chairman of the former committee, naturally concluded that it had come from their hands with the last polish of perfection, and would of course feel irritation at any presumption of improving it further. It was impossible to move amendments on many articles in a bill so long without raising impatience in the Senate; and there was of course no alternative but to encounter this tempest, or suffer the bill to pass the mockery of legislative deliberation and go into the world with all its imperfections on its head. I know not how I shall get through. But I think it not yet time to abandon my purpose.

28th. On my way to the Capitol this morning, I called on the Secretary at War,[1] to make some enquiries of him respecting the new Articles of War. He gave me explanations respecting some of the Articles, which were satisfactory. Others remained without explanation. He did not appear himself to know the object of some new regulations introduced into the bill. He said he would look it over again, and give me infor-

[1] At this time General Henry Dearborn, of Massachusetts.

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mation shortly. In Senate, a bill to indemnify Captain A. Murray passed to the third reading, after some debating, with scarce any difference of opinion as to the merits of the bill itself. The Clearance bill was called up, in the new form which General Smith's reported amendments have given it. Mr. Tracy offered a resolution asking the President for papers and information. Mr. Giles at first faintly opposed it, wishing that it might lie over until to-morrow. His object was to determine on a compliance or refusal out of doors. But Mr. Tracy insisted on an immediate decision, saying he had rather the gentleman should settle it *here* (in Senate) than elsewhere. Giles acquiesced. Mr. Wright alone, who insists that this is a subject of negotiation and not for legislation, and that he wants no papers or information, being determined to vote against any law at all in the case, opposed the call for papers, and took the yeas and nays, on which he stood alone in the negative against thirty-one ayes. Mr. Giles and Mr. Tracy were appointed the committee to wait on the President with the resolution.

29th. A Treaty with the Creek Indians was debated until past four o'clock, without coming to any decision. It is a difficult thing to determine whether it ought to be ratified or not. My inclination is in its favor. I did not present the report on the Georgetown Charter bill, because, after drawing it up, I received a letter from Mr. Plater, a member of the House of Representatives, which made further enquiry upon the subject necessary. There was a nomination of a Consul this day, negatived—the first instance since I have been in the Senate; and it was done on General Smith's declaring that he knew the man, and that he was every way unfit for the office. He complained of the appointments of our Consuls abroad in general, and appeared dissatisfied that this appointment had been made *without consulting him.*[1]

30th. A petition and remonstrance was presented from certain militia officers in the State of Tennessee, complaining of certain proceedings against a Colonel Butler for his resistance to an order of General Wilkinson for cropping the hair of his

[1] William Walton, as commercial agent at Santo Domingo. He was from Maryland; hence the complaint of General Smith.

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officers; and praying that Congress would make some regulation to exempt the militia from such an order. A motion was made for committing this petition to the committee who have the Articles of War under consideration. Another motion, that the petitioners have leave to withdraw their petition. These motions were debated until half-past four P.M., when the question to commit was taken by yeas and nays, and carried—sixteen yeas, fifteen nays. This is the second attempt within a fortnight to turn petitions out of doors, without consideration; and a second whole day's debate on points which ought not to have occupied five minutes of time. Mr. Bayard made two very eloquent speeches this day. I dined at Mr. Taylor's with a company of about twenty gentlemen. Several members of both Houses of Congress and of both parties were of the number. Mr. Dana told Mr. Taylor he was like the sun, and shone alike on the evil and the good. I told him the company would probably all assent to that. I played two rubbers of whist with General Dayton, Mr. Jackson, of Virginia,[1] and Mr. Cutts. Jackson spoke to me slightingly both of Mr. John Randolph and of Mr. Nicholson. I had some conversation with Mr. Madison; and enquired of him whether the Treaty with Great Britain which we conditionally ratified last winter had been ratified by the British Government. He told me it had not. He appeared also to be very much dissatisfied with the call for papers on the Clearance bill, and descanted largely on the danger and inconvenience to the Executive arising from such a call. Yet in the year 1795, he, as a member of the House of Representatives, voted for a much more unqualified and manifestly inconvenient call of the same kind, in the case of Mr. Jay's Treaty. Thus it is that the views and the language of politicians change with times and situations. Giles and S. Smith voted for the call on this occasion against their inclinations, and only because they were ashamed to stand recorded by their present votes in array against their former vote. And thus it is that politicians shackle themselves by a pretended

[1] John G. Jackson served in the Fourth, the Sixth, Seventh, Eighth, Ninth, Tenth, Twelfth, and Thirteenth Congresses, but seems to have left little to be remembered of him.

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adherence to opinions after they have renounced them. A candid recantation would be more honorable, but more mortifying to self-love. Sam. Smith himself told me that he could not vote against the call now, because he knew his former vote could be produced against him.

31st. The Committee on the Articles of War met and made a little progress. General Wilkinson came and offered an Article ready drawn to exempt the militia from the rules of uniform. In Senate, Mr. Gaillard, the Senator from South Carolina, appointed instead of Mr. Butler, took his seat; and for the first time since I have been in Congress the whole Senate was assembled—the Vice-President only being absent. He is, however, returned to the city. The Treaty with the Creek Indians was again taken up, and debated until half-past four, without coming to a decision.

February 1st. I attended early this morning at the Capitol. In Senate, Mr. Giles's new bill for the government of Louisiana was debated at the second reading and postponed. The Treaty with the Creeks was taken up, and I expressed my opinion in favor of its ratification. This opinion, I believe, surprised almost every member of the Senate, and dissatisfied almost all. It is a sincere and honest, though not perhaps a prudent, opinion. Mr. Bradley, who has heretofore been warm in favor of the ratification, appears to shiver in the wind. He offered this day an amendment equivalent to a conditional ratification, and intimated that he would not vote for the Treaty without it. Adjourned without taking the question. After Senate adjourned I sat some time with Mr. Giles, waiting for General Dayton, with whom I had agreed to go to General Turreau the French Minister's, where we all were to dine; and Mr. Giles gave me his opinions very freely on various subjects of a public nature; with an evident view to draw from me my opinions. I hope I was sufficiently upon my guard. He talked about his own Louisiana bill, and disapproved of Mr. Randolph's report to the House of Representatives, which he said was a perfect transcript of Randolph's own character. It began by setting the claims of the Louisianians at defiance, and concluded with a proposal to give them more than they asked. Mr. Randolph

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was undoubtedly a man of very correct theories; but for his part he wished above all things to be in matters of government a man of practice. From this subject he passed to that of the Georgia Land claims, which for some days have been debated with great heat and violence in the House of Representatives, and are not yet decided. In this case his theory and his practice agree entirely with those of Mr. Randolph—vehemently opposed to the claims, and urging against them suspicions, jealousies, and menaces instead of arguments. He said if those claims were not totally and forever rejected, Congress would be bribed into the sale of the United States lands, as the Georgia Legislature was to that sale; that nothing since the Government existed had so deeply affected him as this subject; that the character of the Government itself was staked upon its event. In the State of Virginia there was but one voice of indignation relating to it; that not a man from that State, who should give any countenance to the proposed compromise, could obtain an election after it. Mr. Jefferson himself would lose an election in Virginia if he was known to favor it. And there was a gentleman in the House who had voted for the resolution, and who *certainly* would lose his election by it. (I understood him to mean Mr. Jackson, who married Mr. Madison's wife's sister.) He then proceeded to speak with much severity of Mr. Granger, the Postmaster-General—intimated strong suspicions that he had bribed members of Congress to support him in these claims. He said by the list of the contracts for carrying the mail it appeared that several members of Congress had contracted for that purpose—Matthew Lyon to the amount of several thousand dollars; a Mr. Claiborne, a member from Virginia, a man of ruined fortune and habitual intoxication, was another; that the Constitution forbids any member of Congress from holding any office of honor or profit under the United States; that the contract to carry the mail was not indeed an office of honor, but to such men as Lyon and Claiborne it must be considered as an office of profit, for that they could have made the contracts with no other view than to profit; that, for his part, he never trusted a man who had nothing but professions to support him; that Mr. Granger

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was a man of too many professions, and he must take the liberty to suspect him; that those people were perpetually clamoring for reward on account of their services to the republican cause—eternally laboring to keep up the memory and resentment of past times and dissensions, which ought now to be but of *secondary* consideration; that the President had told him he never had received from the State of Virginia one application to remove a single federal officer, while from other States he had been harassed by them without number, and had letters, and certificates, and affidavits, and God knows what, in support of them; that such insatiable avidity for office was no great proof of merit; and he told such people, Gentlemen, if you supported republican principles because you thought them essential to the welfare of your country, you surely cannot expect personal reward for that; if from merely interested and selfish purposes, you have no right to reward. He said much more to the same effect. His tongue runs fast when once a going, and he slides from one subject to another by light and successive transitions which generally land his discourse wide from where it started. From the specimens I have had of his conversation, he is very free in his animadversions both on men and things. This is what some men may be with impunity; but I am not one of them. At General Turreau's he renewed the subject of the Georgia Land claims, and said over again to Mr. Madison all he had said to me, and much more, against them. Mr. Madison appealed to the agreement between the United States and Georgia, and the reservation of lands made for the express purpose of quieting those claims. Giles said that was a very incorrect and improper proceeding, and ought not to be sanctioned by us. General Turreau's dinner was to the heads of Departments, with their ladies —General Mason and Mr. Taylor, with their ladies—Messrs. Giles, Dayton, and Logan, of the Senate, and Messrs. Nicholson and Eppes, of the House.

2d. In Senate, Mr. Giles's Louisiana bill was again debated and again postponed. The Vice-President appeared, but is not to take the chair until Monday. The Treaty with the Creeks was at length rejected—twelve ayes, nineteen nays. Before

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the taking of the final question, Mr. Brown moved, as an amendment to the resolution of ratification, to strike out all but the introductory words, and insert a postponement until next session. A division of the question was called for, and of course the first question was only on the striking out. There were twenty votes for striking out, and eleven "that the words should stand," according to the mode of taking the question prescribed by the Senate's thirty-eighth rule. The President decided that the vote was not carried, and the words must stand. They did stand, therefore, and the question was taken in a form against the opinion of nearly two-thirds, when the real intent of the rule is that the final question shall be taken only in the form to which two-thirds shall agree. General Dayton, and, what much more surprised me, Mr. Tracy, supported this decision of the President, which was in direct opposition both to the letter and the intent of the rule. The embarrassment arose from its being an unusual mode of taking questions at this time. It was a familiar one in the old Congress, and there such a question would not have arisen. I went into the House of Representatives, and spoke to Mr. Plater respecting the amendments to the Georgetown Charter bill. Just after I went in, the question on the Georgia Land claims was taken in the House, and carried in their favor—sixty-three ayes, fifty-eight nays; to bring in a bill.

4th. This being the day fixed for receiving Judge Chase's answer, at about one o'clock the Senate went into the hall, which had been fitted up for the occasion. The managers from the House appeared, as did Mr. Chase, with Luther Martin and R. G. Harper, of Baltimore, and F. Hopkinson, of Philadelphia, as his counsel. They read his answer, which took them about three hours and a half; it being very full and particular to each article. Mr. Randolph, as Chairman of the House, asked for a copy of the answer, and time to consult the House of Representatives and to put in their replication. The Senate returned to their temporary room, and immediately adjourned to half-past ten—the hour at which they are to meet in future.

5th. On going to the Senate this morning, I found them

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already engaged on the Clearance bill; and an incident not very singular in these times soon occurred. On the 14th of last month, this bill, together with some amendments proposed by a former select committee, was recommitted to a second select committee of five, who were to report an entire new bill, that which came from the House of Representatives being, after long and repeated debates, given up as untenable by all sides. This second committee accordingly reported, some ten days since, a new bill, and upon its being taken this morning I expected that this would be the subject of the debate. But Mr. Giles was not in his seat; and when the first question, on striking out the original bill, was called, Mr. Breckinridge, without making any observations, barely called for the yeas and nays, and by a majority of nineteen to twelve the striking out was *rejected.* So that the debate then was immediately thrown back upon the very bill which three weeks since had been as by common consent abandoned. This was so evidently the result of consultations out of doors, that it had the appearance of a determination to crowd the bill down at all events. The new bill, which General Smith, the chairman of the committee, had taken great pains to draw up, and which was very long, could not be discussed at all; and he was driven to move amendments in that which came from the House. Some of these were at length adopted after Mr. Giles came into the Senate and took the wheel at helm from Breckinridge. Dr. Logan, seemingly encouraged by the turn of tide on this subject, gave notice that before the final passage of the bill he should move for an additional section prohibiting the trade to St. Domingo altogether. He came to my seat and showed me a letter from his kinsman Mr. John Dickinson on this and other subjects, urging strongly a total interdiction of the trade, and censuring severely the bill passed by the House, as sanctioning the trade under color of restraining it. He also gives it as his opinion that Louisiana may be admitted into the Union as a State without an amendment to the Constitution, but hopes Congress will not be *hurried* or driven into any such measure by terror. As to the impeachment of Judge Chase, he says, "however I may have been hurt by his conduct on the bench, I cannot decide him

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guilty until all the evidence shall appear." The Clearance bill was postponed, and some other objects of less moment passed upon. Mr. Bayard moved for the printing of Mr. Chase's answer, which was carried. Mr. Dayton moved, in executive business, to send back to the President the Treaty with the Creek Indians, lately rejected, with a recommendation for further negotiation. Motion lies for consideration.

6th. The Clearance bill was again taken up, and two-thirds of the sitting employed in debating the second section, until its absurdity stared so broadly in the face of every one, that it could no longer be supported. Dr. Mitchell then moved to strike out of it one word; but Mr. Giles was not quite prepared to give it up, and moved a postponement. This was supported by General Jackson, who had some doubts on his mind and wanted time. In opposing a postponement, I hinted hypothetically at its probable object—another out-of-door consultation —which I considered as likely only to prepare another day's debate on the same section. Mr. Anderson called me to order. I sat down. The President enquired of Mr. Anderson in what respect he had supposed me out of order. He said by alluding to any thing *that had taken place out of doors*. The President decided that I *was in order*, as I spoke hypothetically, and without alluding to any thing past. The subject was postponed.

7th. A message from the House of Representatives was received, informing that they had agreed upon a replication to the answer of Judge Chase, and directed their managers to bring it to the Senate. Some debate arose as to the proper mode of proceeding to receive it, but it was finally agreed to receive it in the hall. At two o'clock, accordingly, the Senate went in. The managers immediately appeared, as did Mr. Hopkinson for Judge Chase. Mr. Randolph read the replication, which was short, general, and urging a speedy trial. Mr. Breckinridge moved to send the House a message that the Senate would to-morrow proceed with the trial; and on the question the thirty-four Senators all answered aye. Mr. Hopkinson requested a copy of the replication, which the President directed the Secretary to furnish him; after which the Senate returned to the legislative apartment. The Clearance bill was

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again taken up, and debated until past four o'clock without coming to any decision.

8th. The Senate were engaged in business not requiring debate until twelve o'clock, when they went into the hall. The managers appeared, as did Mr. Chase with his former counsel; and, in addition, Mr. Jeremiah Chase, the Chief Justice of Maryland, Mr. Key, and the Judge's son, and a son of Mr. Law. Mr. Randolph requested that the witnesses summoned on the part of the House might be called; which they were. Several of them did not answer. Mr. Randolph then moved, for various considerations which he said it was not necessary to detail, that the trial should be postponed until to-morrow, when the managers expected to be ready to proceed. At present they were not ready. Mr. Harper rose and said the defendant did not object to this postponement, but—he was then stopped by the President, who, without consulting the Senate, informed the managers that the Senate would be in the hall to-morrow at twelve o'clock and then proceed with the trial. Mr. Chase's witnesses were then called over, several of whom did not appear, and we returned to the legislative room. The Tennessee Land Title bill was taken up at the third reading, and rejected. Mr. Breckinridge, by instructions from the Legislature of Kentucky, offered an amendment to the Constitution, curtailing the jurisdiction of the United States Courts.

9th. After the adjournment of the Senate yesterday, I enquired of Mr. Burr, the Vice-President, upon what principle he had granted the postponement moved for by the chairman of the managers without consulting the Senate. He said it was because he conceived it an object upon which there could be no difference of opinion; that the managers ought not to have stated it in the form of a motion; that it was simply a statement that they were personally not ready, and of course the business could not proceed. This morning he desired me to mention the subject in my place, which I accordingly did. He then assigned the same reasons, and referred for precedent to the practice in the British Parliament, particularly on Hastings's trial. He said that upon all such incidental and occasional motions, he thought, for avoiding delay and unnecessary incon-

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venience, he should decide, subject, however, to a call from any one member of the Senate who might dissent from his opinion, for a regular question to be taken. At twelve o'clock the Court of Impeachments met in the hall. Mr. Randolph, chairman of the managers, in a speech of about an hour and a half, opened the cause on the part of the House, in support of the eight articles. Two witnesses were then examined to the facts alleged in the first article—William Lewis and Alexander James Dallas. By the time they had got through their testimony it was four o'clock. The Court retired to the legislative apartment, and immediately adjourned.

10th. I was employed all the morning reading over the new Articles of War, which General Wilkinson has drawn up for the consideration of the committee, and Judge Chase's answer, which I did not entirely go through. I dined with Mr. Stoddert[1] at Georgetown. The Judges Marshall, Washington, and Winchester were there; Colonel Washington, Mr. David M. Randolph, formerly Marshal, Mr. Hopkins, formerly Treasurer of Virginia, and Mr. Lewis, a member of the House of Representatives. This company was very agreeable, and the dinner remarkably pleasant, which made me too sociable, and I talked too much. About nine in the evening I came home, and found Mr. Tabbs below. I enquired of Judge Marshall whether he knew the writer of a Vindication of his first volume of Washington's Life, against an attack of certain British Reviewers, which was published in the Gazette of the United States. He said he did not. But he complained that, from having been forced to precipitate so much the publication, there were so many errors and imperfections in it that he was ashamed of it.[2]

11th. The annual appropriation bill for the support of Government was taken up as in committee; but, some debate arising upon it, the hour for the Court's meeting arrived, and the bill was postponed. Soon after twelve the Court met, and sat until half-past five, examining four witnesses on the part of the man-

[1] Ben Stoddert, Secretary of the Navy in the administration of John Adams.

[2] In the preface to the second edition of this work, published in 1832, the author used the opportunity to make the same explanation. The revision was then carefully made.

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agers—Edward Tilghman, W. S. Biddle, William Rawle, and George Hay. The examination of this last witness was not completed. After five o'clock a motion for adjournment of the Court was made, and declared by the President not to be passed —on which Mr. Tracy, Mr. Dayton, and Mr. Plumer left their seats and the hall. Shortly after, however, the motion to adjourn was renewed, and carried. We returned to the legislative apartment, and the President censured with some severity the members who had left their seats. Mr. Stone said if any notice was to be taken of gentlemen leaving their seats, he hoped it would not be by any other authority than that of the whole Senate. Mr. Burr said if it should again happen, he should take the opinion of the Senate upon it; and that if members wished to absent themselves, they must ask leave. Mr. Hillhouse said he hoped then the Senate would sit only at reasonable hours; that his colleague's (Mr. Tracy) health was such that he could not without danger to his life be kept sitting in such a manner as there appeared a disposition to compel him to, and that he had suffered very much before the first motion to adjourn was made. This topic was becoming unpleasant, but was terminated by an adjournment. I called on Mr. Stockton at Stelle's. He is here upon the business of Mr. Graves, and expected I should argue the cause. I told him that would be impossible, for two reasons: first, because I could not quit the business pending in the Senate, and secondly, because, circumstanced as I am, a scruple of delicacy forbade me to appear as counsel before a Court where Judge Chase was sitting, while his cause was undecided.

12th. To-morrow being the day upon which the votes returned for President and Vice-President of the United States are to be opened and declared, a resolution, at the motion of Mr. Tracy, passed, on the manner of performing this ceremony, which was sent to the House of Representatives. They soon after sent another, of a different sort, which was not concurred in by the Senate. This and some other subjects of slight debate occupied us until half-past twelve, when we went into the Hall and sat in Court of Impeachment until about four. The managers continued the examination of witnesses, who

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were George Hay again, Col. John Taylor, Philip Norborne Nicholas, John Thomson Mason, and John Heath. After returning to the room, the Senate sat there about half an hour before adjournment. Another day, it is said, will finish the examination of witnesses on the part of the managers.

13th. The business first transacted this day was the declaration of the elections of President and Vice-President. The House of Representatives concurred in the resolution which yesterday passed in Senate on the subject. Mr. Tracy moved a resolution for having the galleries closed while the votes should be counted and declared; but, this giving rise to some debate, the motion was withdrawn. At the last election they were closed. Mr. Wright moved, and insisted upon, a resolution that they should be *open;* which was carried. Mr. Smith of Maryland was chosen the Teller on the part of the Senate. At precisely twelve the two Houses met in convention. The Vice-President opened the duplicate returns, and the votes were read and minuted down by the tellers. There was some question on the accuracy of the returns from the State of Ohio; but they were finally received. The whole number of electors and of votes was one hundred and seventy-six, of which one hundred and sixty-two were for Thomas Jefferson as President and George Clinton as Vice-President, and fourteen for Charles Cotesworth Pinckney as President and Rufus King as Vice-President. After two hours employed in reading and summing up the returns, the Vice-President declared Thomas Jefferson and George Clinton to be duly elected to the respective offices of President and Vice-President of the United States for four years, commencing on the 4th of March next. The two Houses then retired for about half an hour, and then returned again to the hall, to proceed in the trial of the impeachment. John Heath was again examined, as was also James Triplet; and, on the part of Judge Chase, John Bassett, the juror on Callender's trial. These two last witnesses were discharged after their examination. At four o'clock the Court retired, and the Senate adjourned.

14th. It was agreed this morning in Senate to meet for the future, at the Court of Impeachment, at ten o'clock every morn-

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ing, and proceed in the trial until two or three in the afternoon; then adjourn the Court, and, after a slight collation, which the President said he would order to be provided, proceed upon the legislative business, until five or six in the evening. This arrangement to commence to-morrow. At noon we went into Court, and the examination of the witnesses on the part of the managers was concluded, excepting nine who have been summoned but have not attended. The managers reserved to themselves the liberty of examining these witnesses whenever they should attend. They also offered two records in evidence, which were received. At about four o'clock the Court retired; and Senate adjourned half an hour afterwards. I dined at Stelle's, with Mr. Rawle, Mr. Hopkinson, Mr. Meredith, and Mr. Ewing, of Philadelphia, and sat with them until between eight and nine in the evening.

15th. The Court met this morning a few minutes after ten. I took my seat within a few minutes after, and before the Court was opened. At half-past ten o'clock several of the managers had not arrived, and, among the rest, their chairman, Mr. Randolph. Mr. Rodney moved the Court to wait for him; which was agreed to. After waiting about a quarter of an hour longer, it was determined to proceed. Mr. Randolph did not come in until after twelve o'clock. Mr. Harper opened the defence on the part of Judge Chase, in a speech of about half an hour. Several witnesses were then examined as to the first article—Samuel Ewing, Edward J. Coles, William Rawle, and William Meredith. A charge of Judge Iredell to the Grand Jury, on the first trial of Fries, was read, and Dallas's Report of the case of Vigol and Mitchell was cited. On the five articles relating to Callender's trial, Luther Martin, James Winchester, and William Marshall were examined.

The Court retired at about half-past two, and, after the Senators had taken a light collation, at about three commenced upon legislative business. The Orleans Government bill was taken up, and debated until nearly seven in the evening, when we adjourned, and I came home. I was too much fatigued and exhausted to do any thing in the evening. Mr. Nicholson this day discovered a disposition to be captious, as to the admission

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of evidence on the part of Judge Chase; though a vast body of the most exceptionable testimony had been offered, and by his consent freely admitted. In one instance, Nicholson insisted upon taking the opinion of the Court, and the testimony was necessarily rejected. Randolph and Rodney, however, shamed him out of such objections, which were not afterwards repeated. Some testimony not strictly admissible was therefore received by consent of the managers; but Mr. Cocke and Mr. Wright insisted upon its being rejected, and took a vote on the question. They were, however, not supported by the opinion of any other member.

16th. I was this morning at the Senate chamber within five minutes after ten. It was a quarter of an hour later before a quorum was formed and we went into the Court. As I was going up to the Capitol, Mr. Giles, in his carriage, passed me just beyond the President's house. His carriage stopped at Mr. Randolph's lodgings. This reminded me of an incident which occurred a few days since, when, at some incident of the trial, Mr. Randolph, chairman of the managers, and Mr. Giles, a member of the Court, left their seats at the same time, went out of Court for a few minutes, and returned nearly together. These incidents, concurring with the opinions of Giles against Judge Chase, so long, so openly, and so often declared, have an appearance of concert in every step of this prosecution, which is not very consistent with my ideas of impartial justice. The examination of witnesses on the part of Judge Chase was continued. The last of them was David Robertson, who took in short-hand the greater part of Callender's trial, which he this day read.

At half-past two the Court retired, and at three resumed in legislative business the Orleans Government bill. Adjourned at about six, without taking the final question. Mr. Cocke moved a question in Court this day, whether in any case evidence should be given by any person, of any *opinion*. Mr. Burr, the President, declared that he could not *put* the question, it being too *abstract;* but that it might be put, if in any specific instance a witness's testimony should be objected to on that ground. It was indeed the substance of the question yesterday decided.

18th. I arrived at the Capitol at a quarter-past ten this morn-

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ing, and found the Court already assembled. They sat until almost three. A number of witnesses on the part of Judge Chase were examined, going to the defence of the articles from the second to the eighth and last inclusive. The Judge himself, and Mr. Randolph, the chairman, appeared to be much indisposed. On account of Mr. Randolph's illness, Mr. Nicholson moved the Court to adjourn at about two o'clock; but Mr. Randolph himself desiring the trial might proceed, the adjournment was refused. Mr. Cocke made another motion this day which the President declined to put. It went in substance to pass judgment on the fifth and sixth articles at this stage. After the usual interval, the Senate proceeded to legislative business, and passed the Orleans Government bill. A bill from the House appropriating five thousand dollars to pay the witnesses on the part of the United States, and other expenses of the impeachment, was twice read, and committed. Some other bills were also committed. Senate adjourned after six in the evening.

19th. I was just in season this morning at the Senate. The examination of the witnesses on the part of Judge Chase was concluded. Several of the preceding witnesses on both sides were re-examined, and one new witness on the part of the managers was produced. Mr. Randolph then moved the Court to adjourn until to-morrow, to allow the managers time to digest the mass of testimony and prepare to comment upon it; which was acquiesced in, though not desired by the Judge's counsel. It was agreed that the argument should commence with the managers, then be taken up by the counsel for the Judge in his defence, and finally closed by the managers. Judge Chase, in a written paper read by Mr. Harper, requested permission for the future to be absent from the Court, as he is now laboring under a severe attack of the gout, which has been several days coming on. The President informed him that his personal attendance was entirely at his own option, and could not be compelled by the Court. Mr. Randolph stated that the managers expected one very material witness, who would probably be here to-morrow morning; but if not, they would go on without him. Soon after one o'clock the Court retired.

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Senate immediately took up the Clearance bill; and, after debating and amending various sections, it passed to the third reading at about five o'clock. Some other business of form was transacted before adjournment.

20th. I was obliged this morning by the rain to ride to the Capitol. I was in Senate before a quorum formed. It was half-past ten when we went into Court. One additional witness, arrived since yesterday, was examined on the part of the managers. Many of the other witnesses desiring to be discharged, it was proposed to the parties that *all* the witnesses should be released from further attendance; this was consented to by the Judge's counsel, and though at first refused by the managers, who said they would abide by the order of the Court on the subject, was finally agreed to on their own proposal, after a decision of the Court not to discharge them without their consent. The argument upon the evidence was opened on the part of the managers by Mr. Peter Early, who, in a speech of about an hour and a half, travelled over the whole ground of the articles. It was chiefly declamatory, though in some parts argumentative. He took up most of the points made by Mr. Randolph's opening, previous to the examination of the witnesses, and made very little addition of new matter; nor did he cite or refer to any authorities. He was followed by Mr. G. W. Campbell, who, after an exordium touching lightly on the nature of impeachments under our Constitution, spoke about an hour and a half to the first article. He then observed that he found himself indisposed, and requested a short interval of repose. The Court adjourned for half an hour. On returning, Mr. Campbell stated that he was unable then to proceed, and, none of the other managers being prepared, they desired to be indulged with time until the morning. This was allowed, and the Senate returned to their legislative business. Several bills were passed at various stages, and among the rest I obtained that the Georgetown Charter bill should pass to the third reading. The resolution for printing the Impeachment Journals was also at length taken up, and passed, though by a small majority, without discussion. Adjourned between five and six o'clock.

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21st. Arriving at the Capitol at half-past ten, I found the Court of Impeachment just opened, and Mr. G. W. Campbell recommencing his argument, which took him about an hour. He cited yesterday and this day various authorities. After him Mr. Clark made a very few observations on the fifth and sixth articles, which were peculiarly left to the Virginian managers, but which are so faintly supported that they seem to be abandoned by the prosecutors themselves. Here the managers finished, reserving to themselves the reply when the defence shall be concluded.

Mr. Hopkinson then opened the defence, and, in a speech of about three hours and a half directed to the first article, did the fullest and most satisfactory justice to his cause. The Judge's counsel divide the several articles between them, and Mr. Key is to speak to the second, third, and fourth articles. But he, being much indisposed, was allowed the same indulgence as Mr. Campbell yesterday. The Court retired between three and four o'clock, and the Senate immediately insisted upon adjourning, though I pleaded hard for the third reading of the Georgetown Charter bill. This precipitation of adjournment had probably some cause unknown to me. Mr. Randolph, the chairman of the managers, has not made his appearance in Court yesterday nor this day.

22d. The hour to which the Senate now adjourns is ten. But it is generally half an hour later before the Court assembles. This day Mr. Key spoke, on the part of Judge Chase, to the second, third, and fourth articles of the impeachment. He was about three hours and a half, and finished about two o'clock. After an adjournment of half an hour, Mr. Charles Lee, formerly the Attorney-General of the United States, spoke for about two hours to the fifth and sixth articles. At half-past four the Senate returned to legislative business, and sat about an hour longer; during which they passed the Clearance bill at the third reading. It was dark in the evening when I got home.

23d. This morning, at the opening of the Court, Mr. Rodney, on the part of the managers, read several authorities, upon which he stated they would rely in closing the cause, and which he therefore read for Judge Chase's counsel to consider;

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and among the rest he cited the case of Judge Addison's impeachment and removal in Pennsylvania. Mr. Luther Martin then commenced an argument for Judge Chase; taking up first the question as to the powers of impeachment and their limitation under our Constitution, and next the articles in their order. To the three first articles he spoke until half-past two o'clock; and, after an interval of half an hour, for an hour and a half more upon the fourth article. It was half-past four o'clock, when, after apologizing for the length of his argument, which he excused from the great importance of the cause to his client and his country, he said he was very much exhausted, having taken nothing this day, and requested to be indulged until Monday to proceed. The Court accordingly retired, and the Senate immediately adjourned.

24th. I was engaged from immediately after breakfast this morning until near four o'clock in the afternoon in drawing up a report on the Articles of War, which I prepared to be in readiness for the committee to-morrow morning. The bill has been a month in the hands of the committee, but is so long, and the time of the members has been so constantly engrossed by other subjects, that they have scarcely had any opportunity to consult together on the subject.

25th. At the opening of the Court this morning, Mr. Martin recommenced his arguments on the fifth and sixth articles, and finished precisely at twelve o'clock. After an interval of ten minutes, Mr. Harper, as closing counsel for Judge Chase, began. He travelled over the whole ground again, leaving untouched only the fifth and sixth articles. At half-past three the Court retired for half an hour. On returning to the hall, the managers proposed to have a witness sworn who was not here at the time when the others were examined. This was Mr. Hugh Holmes, late Speaker of the Virginia House of Delegates. The object of his testimony was to corroborate that of John Heath. Mr. Chase objected to the admission of this testimony at this time, when they were just closing their argument, when all the other witnesses were dismissed, and when the Judge's counsel who treated the part of the articles to which this testimony belonged had finished. They added that Mr. Holmes had been

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here these three days, and complained at the managers' producing him so late. To this Mr. Randolph replied that they had forborne to introduce him only to avoid interrupting Mr. Chase's counsel in their argument; and he hoped they would have full liberty to comment upon the testimony he might give. He added that the managers, after all, laid very little stress on Mr. Heath's evidence, "for, thank God, the issue of the cause did not depend on the testimony of any witness" —meaning, as I understood, of any *one* witness. Mr. Nicholson, with a manner of defiance and of arrogance which is peculiar to him, said the managers did not ask as a favor, they demanded as a right, the examination of this witness. The question was taken by yeas and nays, and the result was twenty-one yeas, among which was my vote, and eleven nays. The witness was examined, and proved that the story told by Heath was impossible; so that, instead of confirming, he gave the finishing stroke to its discredit. Mr. Harper continued his argument until about seven in the evening, and then closed the argument of the defence. As soon as Mr. Harper had finished, the Court, and, immediately after, the Senate, adjourned.

Some of my friends, and among the rest Mr. Bayard, censured my vote for admitting the witness, as contrary to the *rules of evidence.* I thought it only a departure from the mere *order* of evidence, in point of time, and thus not at variance with any rule. I supposed it admissible or not, at the discretion of the Court, on the circumstances of the case. It was his testimony merely to the *credit* of another witness, rendered necessary or proper by facts which have arisen in the *course* of the trial—testimony the use for which could not have been foreseen previous to the trial, and which the party producing it were therefore excusable for not having when the others were examined. On such grounds I cannot doubt the right or the propriety of examining a witness out of the regular progressive order without violating any *rule* of evidence. I came home late and much fatigued.

26th. On the meeting of the Court this morning, Mr. Nicholson began the argument on the part of the managers, and, in a speech of two hours and a half in length, discussed the ques-

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tion as to the extent of the impeaching power under the Constitution, and replied to the Judge's counsel, on the first article. He was followed by Mr. Rodney, who, with an interval of half an hour between three and four o'clock, spoke until near seven in the evening on the preliminary question and the first four articles. Omitting the fifth and sixth, he began upon the seventh, but soon declared himself so much exhausted that he could proceed no further. He therefore requested the Court to indulge him until to-morrow morning to finish. Mr. Nicholson promised that he should not take more than an hour, and said that, from the habitual indisposition of their associate, Mr. Randolph, who is to close for the managers, it would be a great favor if the Court would meet to-morrow at twelve o'clock instead of ten—that the argument would certainly be concluded to-morrow. The Court adjourned, but determined to meet at the usual hour, so that Mr. Rodney might finish, and then if Mr. Randolph wished an interval of one or two hours it would be allowed. Mr. Rodney's argument was in elegant language, and not without force of argument.

27th. Mr. Rodney did not employ the full hour this morning for which his brother manager Nicholson last evening stipulated. He spoke to the seventh and eighth articles, but much more feebly than yesterday to the former articles. After he finished, Mr. Nicholson was again requesting an adjournment of two hours for Mr. Randolph to come in and prepare himself, when that manager made his appearance, and asked only for an interval of half an hour, which was granted him. On the reopening of the Court, he began a speech of about two hours and a half, with as little relation to the subject-matter as possible — without order, connection, or argument; consisting altogether of the most hackneyed commonplaces of popular declamation, mingled up with panegyrics and invectives upon persons, with a few well-expressed ideas, a few striking figures, much distortion of face and contortion of body, tears, groans, and sobs, with occasional pauses for recollection, and continual complaints of having lost his notes. He finished about half-past two. Mr. Harper then made a very few observations

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on one of the authorities he had produced, to which he replied with some petulance.

General Jackson immediately moved that on Friday, 1st of March, at noon, the Court would proceed to give judgment in the case; which was unanimously agreed to. The principal subject of discussion upon legislative business was a bill for giving to Mr. Burr the privilege of franking, which passed the second reading. He gave us notice that he should be absent to-morrow; from an indisposition which he felt coming upon him; but probably to be absent at the passage of the bill respecting himself. A bill for giving a new government to Louisiana was also debated at the second reading.

28th. The Vice-President being absent, Mr. Anderson was chosen President pro tem. The bill to allow Mr. Burr the privilege of franking during life passed, after a long and extraordinary debate, in which Mr. Wright said he could justify duelling by the example of David and Goliath in the Scriptures, and that this bill was now opposed only because *our* David had slain the Goliath of federalism. The question upon the passage of the bill was taken by yeas and nays.[1] The bill declaring the assent of Congress to an Act of North Carolina, respecting foreign seamen in the port of Wilmington, passed to a third reading by the President's casting vote, in spite of all the opposition I could give it. The committee to whom it was recommitted, the 22d of last month, reported it again without amendment, not being able to fix upon the principles of a general bill, and, as it carries with it all the weight of a State Legislature, and the North Carolina Senators warmly urged its passage, notwithstanding its obvious impropriety it has reached its last stage in Senate.

Mr. Bayard moved a resolution settling the manner in which the question on the articles of impeachment shall be put. The form he proposes is, that upon each article the Vice-President should call upon each member by name, and on the first and fourth articles, which contain sundry specifications, add,

[1] Two questions appear to have been taken by yeas and nays: the first on a motion to postpone the further consideration thereof until the first Monday in December—yeas twelve, nays eighteen; the second on the passage of the bill—yeas eighteen, nays thirteen. Mr. Adams voted with the majority in both cases.

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"How say you? Is Samuel Chase, the respondent, guilty of high crimes or misdemeanors, as charged in the article just read?" And on the other six articles, to vary the question so as to say, Is he guilty "of a high crime or misdemeanor," etc., upon which each Senator is to rise in his place and answer "Guilty" or "not Guilty." Mr. Bayard warmly urged the consideration of his motion this day; but it was postponed until the morning, Mr. Wright manifesting a strong predilection for the form of question adopted last session in the case of Judge Pickering. Another question connected with the impeachment, of considerable delicacy, was further postponed, to be taken up after the decision to-morrow. A bill has been sent from the House to provide for the payment of the witnesses *summoned on the part of the managers*, and appropriating five thousand dollars for the purpose. This bill being now in quasi committee at the second reading, Mr. Bayard moved an amendment, whereby the provision of payment would be extended to the witnesses summoned on the part of Judge Chase as well as the others. The postponement was agreed to on the apparent difference of aspect which the question would present under the alternative of a convicting or an acquitting sentence. These various subjects kept the Senate in session from ten this morning until seven in the evening, with an interval of half an hour between three and four o'clock.

Day. Rise at seven in the morning. Reading public papers, and amusing myself with my children, until nine. Breakfast; walk to the Capitol. Meet in Senate at ten. In Court half an hour later. Sitting in Court until three. Retire for half an hour, and, with the other members, take a cold collation. Return to Court—sit until six or seven in the evening. Walk home, which I usually reach, much fatigued and exhausted, between eight and nine. Pass a couple of hours in conversation, or in reading public papers, and close the evening at about eleven. As a variation from this course, I have this month spent several evenings in company abroad.

March 1st. Mr. Bayard's resolution was this morning taken up, and debated until after the hour at which the Court had determined to pass sentence. It was finally adopted, against the im-

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portunate and violent opposition of Mr. Wright, who struggled to the last instant for the form adopted in the case of Judge Pickering, varying only the answer of the Senators, which he was willing should be guilty or not guilty, instead of aye or no. Mr. Giles made a speech, entering largely into the question as to the extent of the powers of impeachment, and repeating the arguments he had used at the early part of the session on this subject. He still insisted that the House might *impeach*, and the Senate *convict*, not only for other than indictable offences, but for other causes than high crimes and misdemeanors; but, however that might be, as in the present case the charges were avowedly for high crimes and misdemeanors, he was willing to take the question in the manner proposed by Mr. Bayard's resolution, protesting, however, against its being established as a precedent for any future occasion.

After the resolution had passed, General Smith of Maryland insisted that the question on the first and fourth articles should be taken in the singular number, as on all others, observing that although there were several specifications they were adduced in support only of one charge. And it was agreed that the question should be the same on each of the articles.

At half-past twelve o'clock the Court met. The hall was crowded with spectators. Mr. Burr ordered the civil officers in the upper galleries to turn their faces towards the spectators, and to seize and commit to prison the first person who should make the smallest noise or disturbance. He then directed the Secretary to read the first article of impeachment, which being done, he called upon each Senator by name, and put the question as agreed upon. The same course was pursued with all the succeeding articles. The answers were as follows:

Adams, to Article 1,	n.	2, n.	3, n.	4, n.	5, n.	6, n.	7, n.	8, n.
Anderson,	G.	G.	G.	G.	n.	n.	n.	G.
Baldwin,	G.	n.	G	n.	n.	n.	n.	G.
Bayard,	n.	n.	n.	n.	n.	n.	n.	n.
Bradley,	n.	n.	n.	n.	n.	n.	n.	n.
Breckinridge,	G.	G.	G.	G.	n.	G.	G.	G.
Brown,	G.	n.	G.	G.	n.	n.	n.	G.
Cocke,	G.	G.	G.	G.	n.	G.	G.	G.
Condit,	G.	G.	G.	G.	n.	n.	n.	G.
Dayton,	n.	n.	n.	n.	n.	n.	n.	n.
Ellery,	G.	G.	G.	G.	n.	n.	n.	G.

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	1,	2,	3,	4,	5,	6,	7,	8,
Franklin, to Article	G.	n.	G.	G.	n.	n.	G.	G.
Gaillard,	n.	n.	n.	n.	n.	n.	n.	n.
Giles,	n.	G.	G.	G.	n.	n.	n.	G.
Hillhouse,	n.	n.	n.	n.	n.	n.	n.	n.
Howland,	G.	G.	G.	G.	n.	*n.	G.	G.
Jackson,	n.	n.	G.	G.	n.	n.	G.	G.
Logan,	G.	n.	G.	G.	n.	n.	n.	G.
Maclay,	G.	G.	G.	G.	n.	G.	G.	G.
Mitchell,	n.	n.	n.	n.	n.	n.	n.	n.
Moore,	G.	G.	G.	G.	n.	n.	n.	G.
Olcott,	n.	n.	n.	n.	n.	n.	n.	n.
Pickering,	n.	n.	n.	n.	n.	n.	n.	n.
Plumer,	n.	n.	n.	n.	n.	n.	n.	n.
Smith of Vermont,	n.	n.	n.	n.	n.	n.	n.	n.
Smith of New York,	n.	n.	n.	n.	n.	n.	n.	n.
Smith of Maryland,	n.	n.	G.	G.	n.	n.	G.	G.
Smith of Ohio,	n.	n.	n.	n.	n.	n.	n.	n.
Stone,	G.	n.	n.	G.	n.	n.	G.	G.
Sumter,	G.	G.	G.	G.	n.	n.	G.	G.
Tracy,	n.	n.	n.	n.	n.	n.	n.	n.
White,	n.	n.	n.	n.	n.	n.	n.	n.
Worthington,	G.	n.	G.	G.	n.	n.	n.	G.
Wright,	G.	n.	G.	G.	n.	n.	G.	G.
	G. 16	G. 10	G. 18	G. 18		G. 3	G. 10	G. 19
	N.G. 18	N.G. 24	N.G. 16	N.G. 16	N.G. 34	N.G. 31	N.G. 24	N.G. 15

When the answers were all given, the Vice-President desired the Secretary to read over the names of the Senators, together with their respective answers upon each of the articles; so that if any mistake in taking down the answers had been made it might be corrected. Mr. Otis read them accordingly. He had made one mistake, for he had taken down Mr. Howland's answer to the sixth article "Guilty," whereas he had answered "Not Guilty." But Mr. Howland took no notice of the error, and it was not corrected; so that upon the records his name stands as having answered "Guilty" to the sixth article. Mr. Otis had taken down all the rest correctly. After a short pause, the Vice-President said, "The result is as follows:

To the 1st Article	those who answered "Guilty" are	16,	and "Not Guilty" 18
2d		10	24
3d		18	16
4th		18	16
5th			Unanimous.
6th		4	30
7th		10	24
8th		19	15

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And, there not being a constitutional majority who answer 'Guilty' to any one charge, it becomes my duty to declare that Samuel Chase is acquitted upon all the articles of impeachment brought against him by the House of Representatives."

The Court then immediately adjourned; and thus terminated this great and important trial. The Senate returned to their legislative apartment, and, after half an hour of relaxation, resumed business, and sat until seven in the evening. Various bills were read. The North Carolina law relative to foreign seamen at Wilmington, and the bill assenting to it, were read the third time. On the question for its final passage I again renewed and enforced the objections I had urged against it at every stage. It was rejected, only five members voting in its favor.

As I was coming home, I overtook Mr. Cocke,[1] who walked with me part of the way and spoke with much severity of Mr. Randolph and his conduct upon this impeachment, and various other subjects; charged him with excessive vanity, ambition, insolence, and even dishonesty, which he exemplified by the misrecital of the Virginia law referred to in the fifth article of the impeachment, which he said must have been intentional. He told me that he had always been very sorry that this impeachment was brought forward, and though, when compelled to vote, his judgment had been as unfavorable to Mr. Chase as that of any member of the Court, he was heartily glad of his acquittal, which it appeared to him would have a tendency to mitigate the irritation of party spirit. He said that Mr. Randolph had boasted with great exultation that this was *his* impeachment—that every article was drawn by *his* hand, and that *he* was to have the whole merit of it; though, if the facts were so, it was not a very glorious feat for a young man to plume himself upon; for the undertaking to ruin the reputation and fortune of an old public servant, who had long possessed the confidence of his country, might be excusable, but was no subject to boast of.

On returning home, I immediately went with the ladies of the family to spend the evening at Colonel Burrows's. I was

[1] William Cocke, a Senator from Tennessee in 1796–7, and a second time from 1799 to 1805. He voted Judge Chase guilty on every charge but one.

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there informed by Mr. Cutts, who came in from the House of Representatives, that they immediately on returning to their hall, after the sentence pronounced in the Senate, went into a committee of the whole, and the leading managers vented their spleen against the decision with all their virulence. Mr. Randolph moved a resolution for an amendment of the Constitution, so that judges may be made removable upon a joint address of the two Houses to the President. Mr. Nicholson moved for another, by which the members of the Senate shall be liable to be recalled at any time by their respective legislatures. Both these propositions were referred to a committee of the whole, and then postponed and made the order of the day for the first Monday in December next. I had some conversation on the subject with Mr. Madison, who appeared much diverted at the petulance of the managers on their disappointment.

2d. The Senate, having only this day and to-morrow left for finishing all their legislative business, sat from ten this morning until seven in the evening, with the interval of an hour from three to four. They passed a great number of acts, postponed many others, and confirmed the nominations of Robert Smith as Attorney-General, and Jacob Crowninshield as Secretary of the Navy.

At about one o'clock this day Mr. Burr, the Vice-President, after clearing the galleries, stated that it had been his intention to go through his constitutional career without leaving the chair; but, as he felt an indisposition coming upon him, he had concluded now to take leave of the Senate. He then, in an address of about twenty minutes, recapitulated the principles by which his conduct in the chair had been governed during the whole period of his Presidency. He mentioned one or two of the rules which appeared to him to need a revisal, and recommended the abolition of that respecting the *previous question*, which he said had in the four years been only once taken, and that was upon an amendment. This was a proof that it could not be necessary, and all its purposes were certainly much better answered by the question of indefinite postponement. In reflecting upon the decisions he had been called to make, though

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he had doubtless sometimes been mistaken, he could recollect no instance which he should now feel justified in recalling. Gentlemen to whom at any time they had particularly applied would naturally have their feelings excited at the moment, but he had no doubt they would on deliberate consideration acquit him of any intentional disrespect to them, and he was not conscious of any one member to whom on this account he owed an apology. He had made it a general rule not to give any reasons for his decisions at the time when they were made, because in most questions of order that arise in such an assembly it was still more essential that they should be settled promptly and without hesitation, than that they should always be settled right. Yet he trusted that gentlemen would not infer that because there was no reason given there was therefore none to give; that they would readily perceive that an instantaneous was not necessarily a precipitate act, and that what had been done without delay had not been done without reflection. It had been his invariable and resolute purpose to preserve the dignity of the situation in which he stood; and he took great satisfaction in the certainty that he should transmit the *prerogatives* of the chair unimpaired to his successor. "In saying this," he added, "I must offer to every member of the Senate my thanks for the firm and uniform support I have experienced in the discharge of my functions, and to add that the established propriety and decorum which have always distinguished this body beyond any other assemby I ever have known have essentially contributed to assist me in discharging this part of my duty. In taking leave of you, which may probably be a final one, I offer you individually my acknowledgments for your uniform support, for your candor and forbearance under circumstances when my decisions may have excited occasionally unpleasant feelings. And permit me to recommend to you, in your future deliberations, inflexibly to maintain and to cherish those habits of order and regularity, which upon experience are found to be intimately connected with important principles; on a superficial view only they appear of inconsiderable consequence, but on full investigation it will be discovered that there is scarce a departure from order but leads to or is indissolubly connected

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with a departure from *morality*. This body is growing in importance. It is here, if anywhere, that our country must ultimately find the anchor of her safety; and if the Constitution is to perish, which may God avert, and which I do not believe, its dying agonies will be seen on this floor. I have now, gentlemen, only to tender you my best wishes for your personal welfare and happiness." [1]

Immediately after finishing this speech, he left the chair and the room. It was delivered with great dignity and firmness of manner, but without any apparent emotion of sensibility. It was listened to with the most earnest and universal attention. Many of the members appeared deeply affected, and two of them, Mr. Wright and Mr. Smith, of New York, were moved even to tears.

As soon as he was gone, Mr. Anderson was chosen again President pro tem.; and Mr. White moved a resolution of thanks to Mr. Burr for the impartiality, integrity, and ability with which he had presided in Senate, and their unqualified approbation of his conduct in that capacity. It passed unanimously, and Mr. White and Mr. Smith were appointed a committee to present it to him. Mr. Bayard's amendment to the bill for paying the witnesses on the impeachment was this day taken up and passed unanimously, though Mr. Bayard himself was absent, having left town this morning. The Invalid bill, which I introduced at an early period of the session, and which, after being reduced down to a single section, barely rubbed through the Senate, came back this day from the House, with an amendment striking out the whole bill and introducing one entirely different. The Senate immediately disagreed to the amendment. The House insisted, and proposed a conference. Mr. Bradley moved immediately an *adherence* to the original bill; but I objected to this, as not being sufficiently respectful to the House, whereupon he withdrew his motion, and conferees were appointed. The bill for the preservation of peace in the

[1] This report varies in some respects from that which appears in Benton's Abridgment, though not in any essential point. As taken down at the time by one of the persons to whom it was addressed, it may not be without interest to some readers to find it here. The singular prophecy with which it concludes remains to be verified or otherwise in the progress of time.

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ports and harbors passed to the third reading. Several motions were made to read it the third time, but I objected, under the rule that a bill should not be read more than once in the same day, unless by unanimous consent.

3d. Congress were obliged to sit this day, though a Sunday; great part of the business of the session having been protracted to this time by the trial of the impeachment. Several bills were this day first sent to the Senate by the House of Representatives, read three times, and passed. Others were stopped and lost by the objections of single members to their having all their readings in one day. The conferees of the two Houses on the Invalid bill could not agree; whereupon the Senate *adhered* to their original bill, and the House finally receded from their amendments, so that the bill passed as it went from the Senate. The bill providing for payment of the witnesses on the impeachment was not equally successful. The amendments made to it in Senate were disagreed to by the House; insisted on by the Senate, who asked a conference. The conferees of the Senate were Messrs. Giles and Bradley; those of the House, Messrs. John Randolph, Nicholson, and Early. They met, and could come to no agreement. Each House adhered to its own purpose, and of course the bill was lost. No provision, therefore, is made for the payment of any of the witnesses summoned on either side. After the loss of the bill, an attempt was made in the House of Representatives to pay the witnesses *summoned on their part*, by resolution of that House alone, and by charging it on their *contingent expenses*. The only circumstance which defeated this resolution was that, whenever it was taken up, so many of the members immediately left their seats that a quorum could not be made to pass it without them. The bill for the preservation of peace in the ports and harbors was finally passed in Senate this day. I first moved its postponement until the next session; but withdrew the motion on finding it opposed from all quarters. I then moved various amendments, only one of which was adopted. There was, as usual on the last day of the session, an extreme reluctance to hearing any debate, and a determination to pass this bill. The final question was taken by yeas and nays—

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three to twenty-five, and my name among the former. At about one o'clock Mr. Moore, of the Committee of Enrollment, asked leave of absence, he having engaged to leave town this day. It was granted him. A member of the committee was to be chosen in his stead. On taking the ballots there were six votes for Mr. Smith of Ohio, and six for me. The Secretary said I was chosen, which I contested. The President said that, by our rules, when two members had an equal and the highest number upon a ballot, the person first in alphabetical order was considered as chosen. I replied that upon looking over the rules I could find none to that point. The President corrected himself, and said that instead of rule he should have said universal practice. He said, however, that the Senate could excuse me from this service, which was not an agreeable one, if I desired it. He knew I had already once performed it, and it was not usual to require of any one member that he should twice be burdened with it. I therefore requested to be, and was, excused. Mr. Smith of Ohio then undertook it. My motive for declining was not the labor, but because I thought the object of those who voted for me was to make my absence from the Senate absolutely necessary to discharge the duty, and thus to get rid of a troublesome member. In this project I did not wish to gratify them.

At half-past three o'clock the Senate adjourned until five, and I went over to Stelle's and dined with Mr. Otis. I found there Judges Marshall and Patterson, Mr. Latrobe, Mr. Blodgett, and Mr. Gooch, one of the witnesses on Judge Chase's trial. At five o'clock Senate met again. Among the new bills sent from the House this day two were stopped by single members. Mr. Stone stopped a bill for erecting a light-house on Watch-Hill Point, Rhode Island; and Mr. Maclay stopped a bill to continue and amend the law prescribing the mode of taking evidence in cases of contested elections; but, after thus arresting this bill, Mr. Maclay moved that it should be postponed until next session, on the ground of objections to the merits of the bill. I objected to this, as giving a color to our proceedings different from the reality. A postponement to the next session would appear to be the act of the whole Senate,

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and might be taken unkindly by the House, as the bill related to a subject peculiarly, and in some sort exclusively, concerning them—when in truth the bill was defeated by the objection of a single member. Some high words passed between Mr. Jackson and Mr. Maclay, who finally withdrew his motion for postponement. A resolution was passed giving a gratuity to the officers of the Senate for extraordinary services this session, chargeable on the contingent fund; also a resolution to defray the expenses incurred by order of the Vice-President for arrangements in the hall, and other charges in the impeachment. It was stated by the President that although, by the rules, a bill cannot be twice read on the same day without unanimous consent, yet after it has been stopped by the objection of a member it may again be called up to be read; and that this call may be repeated as often as any member pleases in the course of the day. When the business was finished, I moved the usual order for a committee, with such as the House should join, to notify the President that we were ready to adjourn. On this committee I was appointed, with General Smith of Maryland. We called at the House for their committee, who were Messrs. J. Randolph, Nelson, and Huger. We accordingly went to the President, who was in one of the committee rooms, and gave him the information as we were directed. He desired us to inform the two Houses that he had no further communications to make to them; whereupon we returned, and the Senate was, at half-past nine in the evening, adjourned without day. It was almost eleven at night when I got home.

Thus has terminated the second session of the Eighth Congress; the most remarkable transaction of which has been the trial of the impeachment against Samuel Chase. This is a subject fruitful of reflections, but their place is not here. I shall only remark that this was a party prosecution, and has issued in the unexpected and total disappointment of those by whom it was brought forward. It has exhibited the Senate of the United States fulfilling the most important purpose of its institution, by putting a check upon the impetuous violence of the House of Representatives. It has proved that a sense of

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justice is yet strong enough to overpower the furies of faction; but it has, at the same time, shown the wisdom and necessity of that provision in the Constitution which requires the concurrence of two-thirds for conviction upon impeachments. The attack upon Mr. Chase was a systematic attempt upon the independence and powers of the Judicial Department, and at the same time an attempt to prostrate the authority of the National Government before those of the individual States. The principles first started in the case of John Pickering, at the last session, have on the present occasion been widened and improved upon to an extent for which the spirit of party itself was not prepared. Hence, besides the federal members, six out of the twenty-five devoted to the present administration voted for the acquittal of Judge Chase on all the charges, and have for a time arrested the career of political frenzy. The resolutions for amending the Constitution, brought forward by two of the managers of the impeachment immediately after the decision, and the proceedings of the House upon them, are ample indications that this struggle will be renewed with redoubled vehemence at the next session of Congress. How far the firmness of the Senate or of individual Senators will support the promise of this time, I presume not to conjecture. Until the final question was taken, I confess I had no reliance upon that firmness now, because I had seen it yield the last session to a breach of principle to my mind as great as it would have been at this time. They certainly have shown now a degree of perseverance and of spirit in their resistance which then failed them. Their conduct now has partly redeemed their characters in my opinion; yet the extent of their compliance before has proved beyond redemption that they are made of materials which will break. The prophetic and solemn words of Mr. Burr, that the dying agonies of the Constitution will be witnessed on the floor of the Senate, were uttered with a pointed allusion to what had just passed, and they lead to an anxious consideration of the temper of metal to be found in the body as now composed. The essential characters which *ought* to belong to the Senate are *coolness* and *firmness*. I hope that when the occasion shall call they will be found to possess them; and it

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would be doing injustice to the body and its members not to acknowledge that in this memorable instance these qualities have been eminently displayed.[1] It has, however, furnished several instances of weak compliance as well as of honorable resistance, and I have some reason to believe that more than one member voted for the conviction of the Judge who at the same time disapproved altogether of the prosecution. On the subject of the bill for paying the witnesses, Mr. Anderson this day told me that it would have given him pain more than he could express, if a single member of the Senate had been found who would have yielded upon the point in dispute; for if the principle were once established that an officer *acquitted* on impeachment should be burdened with the payment of the witnesses essential to his justification, while the nation was to pay all the witnesses produced against him, not an officer in the Union would be safe, and there would be no bounds to the prosecutions of the other House. I observed to him in a jocular manner, alluding to the two resolutions for altering the Constitution introduced by two of the late managers, that Mr. Burr appeared to have been mistaken, as the agonies of the Constitution were happening on that floor, and not upon ours. Upon which he answered me, with great earnestness, "No, sir. The sense in which he said that was, that the struggle *here* would be to *preserve* the Constitution, and *there* it would be to *destroy* it." Mr. Giles, too, upon this article, has been firm and correct. He seems indeed to consider himself as personally implicated in the question,—for the form of the subpœna to witnesses was adopted on the report of a committee of which he was chairman, and it makes no discrimination between those summoned by the managers or by the respondent. Hence the obvious propriety of treating them all alike. Mr. Giles this day told me that the ardor of his feelings upon political subjects had very much abated;[2] that there was not a man in the Union

[1] Another memorable example of an impeachment emanating from similar passions has since been added in the case of Andrew Johnson in 1867, with almost precisely similar results.

[2] They must have abated very fast, if any reliance can be placed on the correctness of the report of the conversation held less than three months before, when Mr. Giles was trying to persuade a colleague, Mr. Smith of Vermont, to condemn

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against whom he harbored any resentment or aversion, and that he had accepted his seat in Senate only because he knew that, if he had not come, a person of violent principles would have been sent, who probably would have done mischief. But he did not tell me who this was.

4th. I called this morning at Stelle's Hotel, and paid a visit to our new Vice-President, Mr. Clinton, and had some conversation with him, in which he contrasted the appearance of this part of the country with that of New England and New York, much to the advantage of the latter. I then called upon Mr. Tracy, who has been for the last ten days very dangerously sick of a peripneumony, and at no small hazard was brought out on the 1st instant to give his vote on the sentence to the impeachment. It was a good deed, and he suffered no injury from the effort it required. He is now on the recovery, and went with me to the Senate chamber, where we saw the President and Vice-President sworn into office. The President previously delivered an inaugural address, in so low a voice that not half of it was heard by any part of the crowded auditory. After it was over I walked with Mr. White and Mr. Huger to his house, where we found a large company assembled to compliment him on the occasion. I stayed about half an hour, and then came home, where I spent the remainder of the day— chiefly in writing. Mr. Burr was this day present at the inauguration, in the gallery.

QUINCY, *August* 1st. — Mr. S. Dexter, Dr. Kirkland, Mr. Holmes, of Cambridge, Mr. Storer, and Judge Davis, as a committee of the Corporation and Overseers of the University, came this morning to give me notice of my being elected the Professor of Oratory, on the foundation of Nicholas Boylston. I mentioned to them the impossibility I should be under of performing all the duties assigned to the professor in the Rules and Statutes, and that I could neither bind myself to residence at Cambridge, nor to attendance more than a part of the year. They supposed that the Statutes might be so modified as to accommodate me in these particulars, and requested me to

Judge Chase in advance, solely on political grounds. See entry of 23d December, 1804, page 322.

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state my own wishes in this respect to the chairman of the committee, in a letter, to which I agreed. They went from here after twelve.

PHILADELPHIA, *November* 25th.—I had engaged our passage in the Newcastle packet Rising Sun, the same in which we came from that place last spring. The hour fixed for her departure was seven in the morning, and the captain said half an hour was allowed for all the passengers to get on board. I went down to the packet before seven, and saw our baggage safely stowed on board, then returned to Mrs. Decharms's, to breakfast and to attend the ladies; but when we came down to the wharf the packet had left it about five minutes, and with a wind so fair that, although she was still within hailing distance of the wharf, we could not get a boat to take us on board. We were therefore compelled to return to our lodgings and content ourselves with remaining another day at Philadelphia. At the corner of Water Street, as we returned, we met Mr. Tracy, who, like us, was going in the packet and lost his passage by being belated. My principal concern was for my baggage, which has no direction and is liable to be lost. After returning to Mrs. Decharms's, Mr. John Vaughan called on me, as did Dr. Rush. The object of the latter was to inform me of a conversation which he had with Mr. Madison, the Secretary of State, in the course of the last summer, respecting me. Mr. Madison, he said, had expressed himself in very favorable terms of me, and had told him that the President's opinion of me was equally advantageous, and that it was his wish to employ me on some mission abroad, if I was desirous of it. The Doctor therefore intimated that I might govern myself accordingly, and take such measures to manifest my views as I should think expedient. I told him that I had heretofore received suggestions of a similar nature; that I was obliged to Mr. Jefferson and Mr. Madison for their good opinion; that I never had, and I hoped I never should ask for any office of any man, and certainly never should solicit Mr. Jefferson for any place whatsoever; that all I could say to him was, that if Mr. Jefferson should nominate me for any office abroad to which he thought me competent, I would not refuse

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it merely because the nomination should come from him. He said this assurance was entirely satisfactory, and that he believed the apprehension of a disdainful refusal was the only thing which could deter Mr. Jefferson from offering me an appointment. I assured him there was no office in the President's gift for which I had any wish, and that, without being rich, I possessed the means of maintaining my family without feeling the necessity of any public station. He then made some remarks on the obligation a citizen is under to serve the public in places for which he is qualified, and concluded in complimentary terms, which I need not repeat, and ought to forget. I have no doubt but the Doctor's intentions in this conversation were as friendly to me as possible, and that it was dictated entirely by his good wishes; but I am to remember that upwards of four years ago, when I first returned from Berlin, Colonel Smith told me that Mr. Jefferson had spoken of me just in the same manner; and yet within twelve months afterwards he removed me from the office of Commissioner of Bankruptcy which I held under the appointment of Judge Davis. I am also to remember the conversation which I had with Mr. Jefferson the 23d of November last year, and then reduce to their true value all these professions of regard and esteem and of a wish to employ me in public office. I spent this day somewhat heavily, and in compulsive idleness; attended about an hour at the Supreme Court of the State, which this day commenced its session, Judge Yates presiding; this afternoon called upon Mr. Tracy; early in the evening upon Mr. Dennie; and spent the last part of the evening at Mr. Hopkinson's, with Messrs. Ewing, Dennie, Meredith, and R. Rush. It was almost midnight when the party broke up.

WASHINGTON, 30th.—Paid visits this morning to the President, whom I found at home, and the Secretaries of State and of the Navy, whom I did not see. Called also on Mr. Otis at his office, where I met Mr. Plumer. At the President's door I met Mr. Israel Smith and Mr. Gaillard, who were on the same visit as myself. The President mentioned a late act of hostility committed by a French privateer near Charleston, South Carolina, and said that we ought to assume as a principle that the

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neutrality of our territory should extend to the Gulf Stream, which was a natural boundary, and within which we ought not to suffer any hostility to be committed. Mr. Gaillard observed that on a former occasion in Mr. Jefferson's correspondence with Genest, and by an Act of Congress at that period, we had seemed only to claim the usual distance of three miles from the coast; but the President replied that he had then assumed that principle because Genest by his intemperance forced us to fix on some point, and we were not then prepared to assert the claim of jurisdiction to the extent we are in reason entitled to; but he had then taken care expressly to reserve the subject for future consideration, with a view to this same doctrine for which he now contends. I observed that it might be well, before we ventured to assume a claim so broad, to wait for a time when we should have a force competent to maintain it. But in the mean time, he said, it was advisable *to squint at it*, and to accustom the nations of Europe to the idea that we should claim it in future. The subject was not pushed any farther.

December 2d. This, being the first Monday in December, is the day fixed by the Constitution for the meeting of Congress, and a quorum of both Houses accordingly assembled. The Vice-President not being here, Mr. Samuel Smith, of Maryland, was chosen President of the Senate pro tempore, and, after passing the usual resolutions at the commencement of a session, the Senate adjourned.

5th. A bill for an additional appropriation to make up a deficiency in the Naval Department passed to the third reading, and would have passed the Senate, as it did the House, without a question why the deficiency happened, but for a motion of Mr. Tracy to call on the Secretary of the Navy for that information; which passed.

6th. The information requested was this day received from the Secretary of the Navy, and the bill passed. Senate adjourned soon after twelve, and about half an hour after, Mr. Coles, the President's secretary, came with a confidential message to both Houses. Some of the members of the Senate proposed to resume the session by unanimous consent, and direct the secretary not to enter the adjournment; but this

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would have been a dangerous precedent, and was not agreed to. The adjournment was until Monday.

7th. At eleven this morning I attended the committee on the appropriation of moneys to lay out roads from the Atlantic to the Ohio. The other members are Messrs. Tracy, Anderson, Worthington, and Wright. We sat in committee nearly three hours, and came to some resolutions on which Mr. Tracy is to found a report and a bill. When ready, he is to call the committee together again. Mr. Tracy shows in all his public conduct great experience, and a thorough familiarity with the *order* and course of legislative proceedings. His manner is peculiarly accommodating and conciliatory; his command of temper exemplary. In public affairs, it appears to me, there is no quality more useful and important than good humor, because it operates continually to soften the asperities which are continually rising in the collisions of adverse interests and opinions; and this quality Tracy possesses in a high degree. Mr. Worthington is a man of plausible, insinuating address, and of indefatigable activity in the pursuit of his purposes. He has seen something of the world, and, without much education of any other sort, has acquired a sort of polish in his manners, and a kind of worldly wisdom, which may perhaps more properly be called cunning. Mr. Wright,[1] with a capacity below the ordinary level, a violent temper, at once obstinate and unsteady, and a perpetually bustling disposition, is one of the least respected, though not the least effective, members of the Senate. He takes a part in every debate, speaks upon every subject, and very seldom without exposing himself by some absurdity in argument or some confusion of learning. He told us this day, very seriously, that Praise-God Barebone was a Massachusetts name. Mr. Anderson is a lawyer of good understanding and good education; acquainted with good principles, but often warped by the pressure of popular opinions; seldom daring to act according to his own ideas, and willing to see the burden of responsibility fall anywhere but on himself.[2]

[1] Robert Wright, of Maryland, served in the Senate from 1801 to 1806, when he was made Governor of the State, after which he served for nine or ten years in the House of Representatives.

[2] Joseph Anderson, of Pennsylvania, served in the Revolutionary War. He emi-

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9th. Attended in Senate, where a voluminous communication of documents received from the President was read, after which we adjourned, between one and two. I dined at the President's, in company with the Tunisian Ambassador and his two secretaries. By the invitation, dinner was to have been on the table precisely at sunset — it being in the midst of Ramadan, during which the Turks fast while the sun is above the horizon. He did not arrive until half an hour after sunset, and, immediately after greeting the President and the company, proposed to retire and smoke his pipe. The President requested him to smoke it there, which he accordingly did, taking at the same time snuff deeply scented with otto of roses. We then went to dinner, where he freely partook of the dishes on the table without enquiring into the cookery. Mrs. Randolph the President's daughter, and her daughter, were the only ladies there, and immediately after they returned to the drawing-room after dinner the ambassador followed them to smoke his pipe again. His secretaries remained after him just long enough to take each a glass of wine, which they did not venture to do in his presence. His dress differed from that of the Turks. He wears his beard long. His secretaries only wear whiskers. His manners are courteous, but we were all unable to converse with him, except through the medium of an interpreter. The company was Mr. S. Smith, President of the Senate, Dr. Logan and Dr. Mitchell, Mr. John Randolph, Mr. Nicholson, and Mr. Dawson, of the House of Representatives, and the President's two sons-in-law, Mr. T. M. Randolph and Mr. Eppes, with Mr. Coles, his secretary, and Dr. Davis, who acted as interpreter.

17th. A long debate was held in Senate this day on the question whether Mr. Bradley should have leave to bring in a bill to prohibit the importation of slaves into the United States after the 1st of January, 1808. The principal question was whether, consistently with the Constitution of the United

grated to the West, and finally settled in Tennessee. He was elected a Senator in 1797, and remained in the Senate eighteen years. He then became the First Comptroller of the Treasury, in which place he served until the year before his death, in 1837.

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States, Congress could pass any law upon the subject prior to that year. But some of the members, thinking it inexpedient to discuss the subject at this time, would have refused the leave to bring in the bill, and spoke to that purpose, until he asked for the yeas and nays on the question. Then Dr. Mitchell made a long speech to show why he should vote for giving leave, though he had previously spoken against it. The Journal, he said, would be the record of his fame, and he could not suffer it to exhibit the appearance of his voting against the reception of a bill to the principles of which he was so friendly. Mr. Wright, from a similar fear to vote as he wished, moved the previous question. But all would not do. The majority decided to take the question immediately, and then to receive the bill, which was read; and before the question was taken whether it should go to a second reading, Mr. Bradley moved an adjournment, which was carried.

18th. Mr. Bradley moved to postpone the further consideration of his bill to the first Monday in February. Mr. Smith of Maryland moved its postponement to the first Monday in December, which was carried by the Vice-President's casting vote. Mr. Bradley did not take the yeas and nays at this time, but suffered Dr. Mitchell to vote without fear of seeing his fair fame blasted by the record of his *real* opinion. So I suppose Bradley himself had acquiesced in this disposal of his bill, which he brought in under instructions from his State, but for the fate of which I suppose him quite indifferent.

31st. *Day.* Rise between seven and eight in the morning: usually about sunrise. Read in the Greek Testament or Homer's Iliad until nine. Breakfast. Walk to the Capitol, and attend at the Senate chamber until two or three. Walk home. Dine about four. From five until nine in the evening I generally read; sometimes write about half an hour. Pass very few evenings in company, either at home or abroad. Sup at nine, and soon after seek the repose of night.

In reviewing the occurrences of the year which is now closing, I find equal reasons for sentiments of gratitude to Providence for the blessings I have enjoyed in its progress, and of self-reproof for the little advantages I have derived from

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them. The two first and the last months of the year were passed in attendance on my duty in Congress, where I have not been so profitable a servant as I might be—not that I have positively neglected my duty, but because I have not exerted myself in its discharge with sufficient vigor and ardor. When I returned to Quincy last spring, my intention was by an assiduous application to subjects of public concern to remove part of the ignorance which often interferes with my wishes to serve the public. I had barely commenced the execution of this design when ill health compelled me to lay it aside; and before I could resume it my appointment to the professorship at Cambridge gave my studies necessarily a new and different direction. From the beginning of July a large portion of my time has been devoted to the Greek language and to rhetorical writers. And these are fields which I must for years to come (if my life be spared) explore and cultivate with unabating industry, or without effect. My health has been worse during the course of the whole year than I had long experienced, and its prospects are not flattering; but my parents, my wife, and my children have all lived, and in general been blessed with health, for which Heaven be praised. My political prospects continue declining. The state of my affairs in other respects remains nearly as at the commencement of the year—in some respects improved; in others less advantageous; but, on the whole, more favorable and promising. The privations to which I have found it necessary to recur have been very painful as they respect my family and in their effects, though on my own account they never had on my mind or spirits the weight of a straw. Thus much for the past, upon which reflection can be of no use but as it may influence the conduct of the future. Let me, then, resolve to devote that future to the steady pursuit of real wisdom and virtue; and let me pray for assistance from above, that the general imperfections of humanity and my peculiar individual frailties and infirmities may be successfully overcome by the stronger and increasing power of Justice, Temperance, Patience, and Fortitude.

January 2d, 1806. We had this morning a short session in the Senate, and adjourned, though not without some debate, to

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receive the Tunisian Ambassador's visit. He had been first into the House of Representatives; and when he came into the Senate chamber he seated himself in the Secretary's chair and told the Vice-President he had found a man speaking in the other room; enquired who he was. Mr. Thruston answered him in Italian, for he had no interpreter with him, that he was a *member* of the House; upon which he enquired whether all the men he had seen there had a right to speak, and was answered yes. He said then it must take one, two, or three years to finish any business; and it was just so in Italy, where sometimes it took twenty years to decide a cause. But in his country they could always finish any business in half an hour. Mr. Thruston endeavored to explain to him the difference between our legislative assemblies and courts of justice; but he could not understand it. He soon withdrew.

7th. Last Thursday, Mr. Russell, of Boston, requested me to present two petitions from the claimants to the Georgia lands, which I accordingly did this day. General Sumter immediately afterwards presented a similar petition from some of the South Carolina claimants. This subject has for several sessions occasioned extremely violent debates in the House of Representatives. General Sumter had had his petition in his pocket for a week without presenting it. Mr. Russell wished that I should present his immediately after that of Mr. Sumter, which I accordingly proposed to that gentleman; but, after some deliberation, he finally expressed the wish that I should present mine first. The reason for all this timidity is because it is expected this subject will occasion as violent debates in Senate as it has in the other House; which is very probable. On my presenting them, General Jackson started up and commenced a violent invective against the claims, without any specific object. The petitions, however, lay on the table, and I gave notice that I should call them up at an early day. I feel very reluctant at being thus engaged in an affair which has already occasioned so many unpleasant altercations; but, as the agent of the petitioners has chosen to make his application to me, I could no more avoid it than any other part of my duty.

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9th. Met the committee on the memorial of the New York merchants. Messrs. Mitchell, Smith of Maryland, Tracy, and Anderson are the other members. We soon found we wanted information from the Executive, and agreed that the regular course would be for the chairman to move a resolution of Senate to that end. I drew up a resolution, which was agreed to by the committee and afterwards was moved by Dr. Mitchell in Senate. A question was made in committee, and urged very warmly afterwards in Senate by Mr. Wright, whether it would be proper to ask for this information on a reference of the New York memorial. It was insisted that the part of the President's message relative to the same subjects ought to have been referred to a select committee, and then that the papers should be asked for. I was of opinion, from the commencement of the session, that a committee of the Senate on that part of the President's message ought to be raised; but I knew that if I moved it a spirit of jealousy would immediately be raised against doing any thing; and I therefore only suggested the subject to Dr. Mitchell, who thought it best to wait and see what the House of Representatives would do first. But now it appears a mere absurdity to cavil about the object of reference upon which a committee is to sit or papers are to be asked; and therefore I think these scrupulous gentlemen ought not to be indulged. The resolution lies for consideration.

10th. Met the committee on the memorial from the Legislature of the Orleans Territory at ten o'clock this morning. The other members are Messrs. Anderson, Tracy, Baldwin, and Bradley. Some of the members were late, and we made little progress in business. To meet again on Monday. In Senate, the resolution to ask the President for papers, yesterday moved, was taken up, after another struggle of Mr. Wright to have it postponed until Monday. It finally passed, with only his vote against it. The character of the man may partly be seen from this occurrence. He has made at least ten speeches against the proceedings on this business, solely on the ground that it ought to be done, not on a memorial of the New York merchants, but on a paragraph in the President's message.

14th. The reading of the papers sent relative to the Tripolitan

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Treaty was resumed and finished. It took about three hours. Dr. Logan moved that the part of the President's message relating to the interpolation of new principles in the law of nations and the late decisions of the British Courts of Admiralty thereupon be referred to a select committee. This is the renewal of Mr. Wright's last week's motions, and proceeds from a jealousy of the committee to whom was referred the New York memorial—because two of the five members composing that committee are federalists. The motion lies for consideration.

15th. Dr. Logan obtained leave to introduce his bill to suspend the commercial intercourse with the island of St. Domingo, by a large majority. It provides that no vessel shall be allowed to *clear out* for the ports of that island—to continue till the end of the next session of Congress, and without any penalty annexed. It is, therefore, obviously a bill which can have no possible effect to obstruct the trade. Indeed, it struck everybody as so mere a dead letter, that the Doctor found himself reduced to account for its imbecility, which he did to me in this way. He told me that his only object was to have it in our power to tell the French Government that we have prohibited the trade, and that if the merchants would carry it on they must do it at their peril, as it would be out of our protection. His motion to refer part of the President's message was taken up, and he alleged as his motive that he had a memorial to present from the merchants of Philadelphia, which he wished to have referred to the same committee. As the multiplication of committees upon one subject has so manifest a tendency to produce disorder and confusion, I moved to amend the resolution proposed by making the reference to the committee on the New York memorial. This brought up Wright, who soon worked himself into one of his violent passions, and stormed at the indelicacy of a member's moving for the reference of a paper to a committee of which he himself was a member (which, be it noticed, is every day's practice). He was for having a new committee, and hoped it would be of *seven* members. Mr. Wright's eloquence, however, producing little effect, Mr. Anderson bethought himself of a new ex-

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pedient. He said my motion was not in order—that a paper could not be referred to a committee already appointed. He alleged in proof of this the fifteenth rule for conducting business in the Senate, which says, "All committees shall be appointed by ballot, and a plurality of votes shall make a choice." And he appealed to the President to decide whether my motion was in order or not. Upon this appeal there could be no debate, and I was deprived of any opportunity of replying either to Mr. Wright or Mr. Anderson. The President professed his ignorance of the practice in Senate; observed his decision on the meaning of the rule would depend on another question, which was, whether the paper moved to be referred to a committee already raised related to *the same subject* as that before them; and that on that ground he pronounced my motion to amend not in order, as there must be a new ballot. The rejection of my motion for an amendment prevents even an appearance of it upon the Journal. The question then on the reference of part of the President's speech to a special committee was taken by yeas and nays, at the call of Mr. Wright, and I voted against the reference. It was, however, determined to refer it to a committee of seven. On the return of the ballots, it appeared that the five members composing the committee on the New York memorial were again chosen, and two others added, Dr. Logan and Mr. Baldwin. So Mr. Wright still failed in his principal object, which was to get on the committee himself. But instead of Dr. Mitchell the chairman of this committee is Mr. Smith of Maryland. Dr. Logan then presented his memorial from the Philadelphia merchants, and, after it was read, moved its reference to the committee just appointed on part of the President's message. Mr. Tracy then objected that, by the decision just made on the fifteenth rule, there must be a new committee. The Vice-President began by saying that he thought there was a manifest distinction between the two cases, but concluded by again deciding that there must be a new ballot. The same members were again chosen, but the chairman was again different, being now Mr. Anderson. The result, therefore, is that we have three committees on one and the same subject. On this transaction I remark—first, the

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singular effects of the spirit of party. When the New York memorial was presented, Wright wanted it to lie over till the next day, for the purpose of having the committee men agreed upon out of doors, by the *party;* but, as he did not then carry his point, the next object was to get another committee on the same subject. This the party had determined upon, and Dr. Logan's motion to refer part of the President's speech was the means used to effect that purpose. But as the *real* motive could not be avowed, when the forcible objection to the multiplication of committees on one subject was urged, the only refuge was to appeal to a construction of a rule of order, contrary to the uniform and invariable practice. This proved successful; but at the hazard of introducing inextricable confusion in the transaction of business. For Dr. Logan could not get the very paper, upon which he founded his motion to refer the message, referred to the same committee. Secondly, the great importance of an intelligent and experienced man to preside in the Senate of the United States. Mr. Clinton is totally ignorant of all the most common forms of proceeding in Senate, and yet by the rules he is to decide every question of order without debate and without appeal. His judgment is neither quick nor strong: so there is no more dependence upon the correctness of his determinations from his understanding than from his experience. As the only duty of a Vice-President, under our Constitution, is to preside in Senate, it ought to be considered what his qualifications for that office are at his election. In this respect a worse choice than Mr. Clinton could scarcely have been made. Thirdly, the characters of men appear in their discourses as much as in their deeds; and in the same manner; not from the tenor of what they say, but from the inferences to be drawn from it. Anderson and Wright had the same *end* in view, and their motive was the same; but neither could acknowledge it. Wright, whose temper is violent, and who has no sense of decency or delicacy, thinks of nothing better than to charge, as indelicacy in me, what he has done hundreds of times himself, and what every member is accustomed to do who acts on committees at all. Anderson recurs to stratagem and surprise. He insists upon a rule of order to

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decide the point, and by an absurd twisting construction of the rule obtains his purpose. Fourthly, this affair has proved that the jealousy and acrimony of party is roused against us, and that we shall therefore henceforth experience the same exclusion of all effectual agency in measures, which we have felt in the former sessions.

16th. Mr. Wright gave notice that he should move next Monday for leave to bring in a bill for the protection and indemnification of American seamen. His project, with which he is so delighted that he cannot hold it to himself, is to confiscate British debts, and with the money pay heavy wages to the seamen impressed by the British, while they keep them. Mr. Bradley moved a new reference of the papers sent with the Tripolitan Treaty, which was accordingly done. The weather was so severely cold that the Senate adjourned early. The members had this morning a pamphlet laid on their tables, without any information whence it came, against the new principle asserted by the British Government against neutral rights. It is understood to be the work of Mr. Madison, the Secretary of State.

17th. Met the committee on revising the rules for conducting the business in Senate, at ten this morning. We merely entered upon some general conversation on the subject, and had come to no determination, when we were called in to a message from the President. In the mean time Mr. Bidwell and Mr. Early had been in as a committee from the House of Representatives with a confidential message, and a bill appropriating and placing at the President's disposition two millions of dollars, to purchase the Floridas. This is the great result of a month's closed doors in the House, and is to be the end of all the vaporing against Spain at the beginning of the session. The message from the President was accompanied by very voluminous documents on the subject of our differences with Great Britain; and particularly a letter from Mr. Monroe, our Minister at London, to the Secretary of State, fi of bitterness against England, and urging strong and dec.. ve measures. Some few of the papers were read, and one or two bills. Adjourned early. In the evening I read part of Mr. Madison's pamphlet. Cold still extreme.

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18th. This morning, at sunrise, my thermometer stood at 9; the severest cold we have yet had. At eleven I met the committee on part of the President's message. We had some conversation, but could come to no particular point, for want of papers and information.

20th. Our principal business in the Senate was reading the secret bill from the House of Representatives the second time. A motion was made and passed that during the discussion of this subject the doors should be closed. When taken up, Dr. Mitchell moved that the bill be referred to a select committee, which Mr. Tracy seconded. Mr. Bradley objected to this, and moved that it be made the order of the day for to-morrow in committee of the whole. He alleged no reason for this, or at least nothing which could pass for a reason. Dr. Mitchell then made a characteristic speech, wavering between the support and relinquishment of his own motion; at last, however, he concluded that he would take the question on his motion, and there appeared twelve for and fourteen against it. The majority against him would have been much larger, but they did not all understand his drift. The object is to carry the bill through without any discussion, and without giving any intimation of the grounds upon which it is to pass. This could not so well be done if it had been committed to a select committee. Mr. Wright introduced his bill for the protection and indemnification of American seamen, which passed to a second reading, but is too violent for his own party to support.

21st. The secret bill was taken up in committee of the whole, and pressed through to the third reading with the most anxious solicitude to suppress all discussion and all enquiry. Mr. Wright's bill was read the second time, and at his own motion postponed for consideration until Monday next. No business of any interest was done besides.

22d. Met the committee on the Articles of War. We made some small progress in amending the bill, and are to meet again. In Senate the business was very various, and one very animated debate occurred. Mr. Tracy yesterday moved a resolution to request of the President a copy of Mr. Monroe's letter to the Secretary of State which was read last Friday; and he stated

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that he thought there was something in that letter which would decide his vote upon the secret bill. This day the resolution was called up, and Mr. Bradley objected to the resolution, because he thought the letter was of a nature not to be made public. His reasons for opposing the motion were, however, so feeble, that when Mr. Tracy, after shortly replying to them, called for the yeas and nays, Bradley was afraid of his stake, and shifted his motion to a motion for referring the resolution to a committee. His motion was thus, by a side blow, to put it out of the way until the secret bill shall be passed, and then reject it as useless. Bradley's greatest powers extend no further than to such a trick as this. His motion was supported by Mr. Baldwin, who, with a mind of exactly the same obliquity, but a more plausible smoothness, descanted upon the general *convenience* of referring things to committees, its frequency of practice, and how Mr. Tracy could explain to a committee his motives for wanting this paper. General Smith of Maryland, too, was for a committee; but, not being so used to the worming system, he could scarcely tell why he was for it. Between the meanness of the artifice, which he could not accede to without reluctance, and the necessity of adhering to his party, which is always the clenching nail with him, he appeared very much embarrassed. Mr. Tracy, however, exposed and scourged them all so severely in his replies that the phalanx broke. Wright and Worthington objected to commitment, and were ready to deny the call for the paper at once. For Wright said that Judases might be found among the most respectable assemblies. On the other hand, Maclay had not been present when the paper was read, and wanted to see it *himself*. He therefore very methodically replied to the *two* reasons alleged against the call, and was for adopting the resolution. Mr. Moore asked for a postponement, to ascertain privately whether the President would have any objection to the call; and Mr. Anderson, finding others of his own side had ventured out of the garrison, boldly descanted upon the fairness and justice of letting members in the minority have information when they wanted it; and how tenacious he had been of the privilege when he was in a very small minority. Bradley and his whole machinery were so

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completely battered down by this time that their only resource left was an adjournment, which they moved and carried. Between this and to-morrow they will ascertain the President's inclination, and decide accordingly. This was a truly *characteristic* debate. Mr. Thruston rode home with me, and appears to be a very modest and sensible man. In the evening I finished Mr. Madison's pamphlet, with which I am, upon the whole, much pleased.

23d. Met the committee on the petitions of the Georgia Land claimants. Messrs. Baldwin, Sumter, Bradley, and Anderson are the other members. The petitions were read, and I moved that Mr. Russell, the agent for the petitioners on two of the petitions, should be heard in support of them. Bradley instantly began to play his old game. He was for settling, before the agent should be called in, whether the first call upon him should not be for his *power* to act for all the claimants, who are so numerous that he has probably not a power from *all*, and Bradley's object was then to say that we could not act at all upon the partial petition of some claimants, and thus shift off all further consideration of the business for this session. Mr. Baldwin of course supported him. Mr. Anderson instantly saw the purpose of Bradley's wish to make the call for a power the *preliminary* step, and opposed it. Mr. Sumter at first put his foot into the trap unawares, saying that, as the agent represented the petitioners, it was reasonable to enquire how far his power extended to bind them. But on discussion, finding what was Bradley's true project, he came round to our opinion, and voted to hear the agent *generally* in support of the petition. By this time the hour of Senate's meeting had arrived; the committee agreed to meet again on Saturday morning at ten, and then hear Mr. Russell. In Senate, after a variety of business not very important, Mr. Tracy's motion to ask for a copy of Mr. Monroe's letter was resumed. General Smith, who, since yesterday, had doubtless ascertained the President's inclination, moved a modification of the resolution, so as to ask only a further *communication* of the letter, instead of a copy, to which Mr. Tracy readily consented. Bradley then withdrew his motion to commit, and we expected an unanimous vote; when, lo! a new

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opposition sprung up. Dr. Logan had discovered that the President had acted improperly in communicating the letter to us originally, and therefore that we ought not to ask for it again. Mr. Anderson too changed his side; hinted that as the wisest men had their moments of weakness, so it had happened to the President in this case; and as the resolution was now varied, so that we were not to have a copy, he should vote against it. Worthington was still very anxious for the yeas and nays, to record his vote against the call. Just at the end of the debate, Bradley bethought himself that this was a subject that required closed doors, and moved to clear the galleries; which was done, and confirmed by vote. The question was then taken by yeas and nays, and carried in favor of the call—yeas twenty-three, nays seven. The rest of the day was employed in reading papers concerning certain characters and disputes in Louisiana; founded upon the nomination of General Wilkinson as Governor, and Mr. Lucas and some others as Judges.

24th. Met the committee upon the memorial from the New York merchants. Messrs. Mitchell, Anderson, and Tracy attended—General Smith was absent. We agreed upon several resolutions to report in part, and to be accompanied by a short report, for which there must be another meeting of the committee. In Senate, two messages were received from the President—one with the requested letter of Mr. Monroe, the other with an Indian Treaty. We proceeded immediately to the consideration of executive business; finished reading the papers concerning the disputes between Governor Wilkinson and Judge Lucas, heard long speeches from General Smith and Mr. Wright in favor of General Wilkinson, and after three o'clock adjourned to Monday. Mr. Bayard took his seat in Senate, and was sworn, on his re-election.

25th. Attended at the Capitol this morning on two committees—one summoned at ten, on the Georgia Land petitions, the other at twelve, on the President's message. Mr. Russell appeared before the committee in support of the petitions, and we had some conversation with him. We thought the companies would all acquiesce in the plan proposed by the former

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commissioners, which they declined acceding to at that time. We came to no determination, but agreed to meet again next Thursday at ten in the morning. Mr. Anderson was absent. The other committee could not meet at all; only four members (General S. Smith, Mr. Baldwin, Dr. Logan, and myself) out of seven having attended. Mr. Tracy, Dr. Mitchell, and Mr. Anderson were absent. As I was coming home I met Dr. Mitchell, who took me into his apartment, at his lodgings, and read me part of two letters from one of his correspondents at Edinburgh, dissuading us from war.

29th. Attended the committee on the Articles of War. All the members were present except Mr. Wright. We made further progress in amending the bill, and went as far as the twenty-third article. We then adjourned to meet again on Friday morning. In Senate, after some of the business in course, Mr. Wright's Seamen bill was taken up as at the second reading. He made a speech of an hour and a half to support it, which was very patiently heard, at the close of which Dr. Mitchell moved to postpone the further consideration of the bill. This was agreed to by a vote unanimous with the exception of Mr. Wright himself. I know not why he did not propose a reference of the bill to a select committee. A message was received from the President, with a memorial from the merchants of Baltimore, complaining of violations on their neutral rights, very long, and very well written—the work of Mr. Pinckney. I had some further conversation with Mr. Tracy on my proposed resolutions, which he agreed to second.

30th. Met the committee on part of the President's message. Before we met, Mr. Tracy requested me not to offer my resolutions this day, and suggested that he had some objections to them. I accordingly agreed not to produce them this day. The chairman, Smith of Maryland, presented two resolutions of his own drawing—the first an abstract declaration that no belligerent nation has a right to forbid a neutral nation any trade with her enemies, on the pretext that such trade was not permitted in time of peace; the second proposing a non-importation law for several months. These were discussed for some time, and, without coming to any decision, we adjourned until

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to-morrow. The committee on the Georgia Land petitions also met. Mr. Russell and Mr. Peppin attended them, and stated the grounds on which they were willing to make a compromise of their claims. I proposed that the committee should ask leave to report by bill; but no question was taken. Mr. Anderson appears to have become lukewarm in the cause, and thinks it best to do nothing in the Senate until the House of Representatives shall have acted on the subject.

In Senate, the secret bill was taken up. Bradley moved an amendment to specify the purpose of the appropriation—that the President might, by purchase or otherwise, obtain the free navigation of the St. Lawrence, or any of the British territories north of it, or any foreign territory east of the Mississippi.[1] This occasioned one of the most curious debates I ever heard in Senate; which was finally postponed until to-morrow.

31st. On going up to the Capitol this morning, I found there a Mr. Searle, a young man from Providence, who brought me a letter of introduction from Judge Barnes. The committee on the President's message met, and as I had yesterday objected to the first of General Smith, the chairman's resolutions, and agreed to offer what I considered as a better substitute for it, I this morning offered the first of the resolutions I drew up some days ago on the same subject. The question was put on Smith's resolution and mine, and determined by the committee in favor of mine—four to three. On this occasion I could not but observe the workings of party spirit and of personal friendship on public measures. Smith's resolution was so very badly drawn that I think there could be no reasonable question between the two. (Here, however, I am sensible I am a very improper judge.) Dr. Logan and Mr. Baldwin declared in favor of Smith's—Baldwin without assigning *any* reason, Logan alleging that there would probably be a congress of the Northern European powers, and an abstract proposition would per-

[1] The amendment was in these words: "for the purpose of obtaining by negotiation, or otherwise, as he may deem most expedient, the free navigation of the river St. Lawrence, or his Britannic Majesty's territory lying south and east thereof, or any other territory lying east of the Mississippi, and south of the aforesaid river St. Lawrence, not owned or possessed by citizens of the United States."

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haps induce their co-operation sooner than a specification of our particular cause of complaint. Tracy, Mitchell, and Anderson, the two last with extreme and undisguised reluctance, pronounced in favor of mine. Tracy barely replied to Logan's semblance of an argument, which he blew away at a breath. The other two, after wavering long, and above all anxious for excusing their vote to the chairman, *hesitated* the preference which they could not deny, until the chairman inferred their vote without compelling them to give it, and declared the decision in favor of my resolution, with a slight amendment suggested by Mr. Anderson, and to this decision they assented. The chairman's second resolution was next taken up. Mr. Tracy declared himself very decidedly against it; said he believed it would be a pernicious and fatal measure, but refused to assign his reasons for this opinion. I expressed my opinion much more doubtfully; rather inclining against it, as a measure which would do us as much harm as the adversary; but far from pledging myself to vote against it eventually. We came to no decision, and adjourned until to-morrow morning.

In Senate, Mr. Wright's bill was again called up, and he now moved to refer it to a select committee of five; which was done. The bill for the relief of Seth Harding was, at my motion and Mr. Bradley's consent, postponed until Monday.

As I was going up to the Capitol I met the Secretary of the Navy, and made some enquiries of him relating to the navy pension fund. He coincided perfectly in opinion with me, that this would be a complete diversion and misapplication of it; and told me that Bradley had asked him some questions about the fund, whether it was rich, &c., and he had answered, "Yes, but I hope you are not going to lay your unhallowed hands upon it." On conversing with Bradley, he told me that the Secretary of the Navy had declared himself unequivocally in favor of this provision. The Library bill passed without a division.

The secret bill was taken up, and Bradley's amendment debated—taken by yeas and nays, and carried against it—twenty-one to ten. Bradley was so much offended at this that he broke out against the bill itself; though he had originally de-

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clared he should vote for it whether his amendment should be adopted or not. He now declared he would go home, and I think he will not vote on the bill at all. I think this was his design in proposing the amendment. He was afraid to vote either for or against the bill, and took this mode of making a pretext to fly the vote. This is altogether in character, and I have often seen him do so before. Mr. Bayard then proposed another amendment, which he supported by a powerful speech. No answer was made; but on taking the yeas and nays, they were yeas twenty to nays ten. Dr. Mitchell moved a postponement for a fortnight from next Monday—rejected. Mr. Bayard moved a postponement indefinitely, and made one of his most eloquent appeals to the feelings and reason of the Senate—rejected without a word in reply. It was now half-past three o'clock, and I moved an adjournment, as no discussion at all had taken place on the bill itself—rejected. The determination appeared to be to pass the bill at all hazards; when, lo! General Adair declared he should vote against the bill, and in a very few words assigned his reasons. Mr. Hillhouse then rose to speak upon the bill, when they, who had but an instant before so stubbornly rejected every thing but the final vote, declared themselves willing to adjourn; and accordingly we did adjourn to Monday. Adair's scruples are to be quieted.

It was late; but I had a short conversation with Mr. Tracy, to enquire what were his objections to my resolutions. He did not particularly specify. I asked him if he had any thing to propose in their stead. He said arming and increasing the navy. After some discussion, he appeared again inclined to bring forward my resolutions, and I asked him to draw up one upon his own ideas to add to mine. He said he would, and we are to meet again in the morning.

The crowd of business pressing upon us occasions many remarks which might be useful, but which I have not time to record, and which will be lost. On these important questions which we are now agitating, I feel a distressing consciousness of my own weakness of capacity, together with a profound and anxious wish for more powerful means. I lament the want of *genius* because I want a mighty agent for the service of my

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country. I pray for light from above, and hope there is neither presumption nor fanaticism in the prayer. I pray for a sound head and a pure heart in deliberating upon points on which peace and war are pledged; and I pray that I may never mistake the suggestions of personal ambition or any other selfish passion for the dictates of patriotism. Feeble and insignificant as my influence upon the counsels of the nation is, I feel a load of responsibility weighing upon me to the utmost I can bear. Honest intention and sincerity must be my only substitute for more efficacious powers, and I hope I never shall suffer them to be overborne by any partial or dishonorable aim.

February 1st. Attended the committee on the President's message at ten this morning. The chairman's second resolution was further discussed; and it soon appeared that Dr. Logan and Mr. Baldwin were against it. They are for doing nothing. Mr. Baldwin made one of his serpentine speeches in favor of temporizing policy. The war in Europe could not last long; the *good man at the head of the British Government*[1] could not live much longer; his death would bring in an entire new set of men, with different principles; there was no appearance of any thing permanent in the present state of things; it would be sufficient for us to pass general resolutions declaring our rights on this and the other subjects of complaint that we have, without taking any further measures, &c. Dr. Logan was for asking the President to send an Envoy Extraordinary to negotiate. Perhaps Mr. Monroe had irritated the British Government and aggravated their offences. Mr. Monroe was known not to be friendly to England; he wanted to try the effect of another Minister there. He had heard Mr. Merry tell Mr. Madison that, before we went to war, we ought to be very sure that no other measure of a conciliatory nature remained. I objected to asking the President to send an Envoy Extraordinary, as too much dictating to him the mode of doing the business; but I took advantage of the Doctor's suggestion to propose my second resolution, which seemed to be generally assented to. In this state of things, three members having

[1] At the time this was said, Mr. Pitt's career had come to an end. He died on the 23d of the preceding month.

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decisively pronounced against the chairman's second resolution, I might have thrown it out at once; but, though not thinking it the best measure, I believed it better than none. Mr. Tracy stated his objections against it strongly. I stated mine. Smith answered them as well as he could. Dr. Mitchell was decided for the resolution as it stood. Mr. Anderson proposed a sub-committee of three to attempt a modification of it. This was agreed to. Smith as chairman named me, Anderson, and Mitchell as the sub-committee. The large committee then adjourned until ten on Monday morning. The sub-committee remained, and we agreed upon a modification of Smith's resolution according to Anderson's idea, and also to propose in substance my second resolution. They then charged me to draw up the two, to have them ready on Monday morning, half an hour earlier than the meeting of the full committee. We then parted, and it was about two. I went into the Secretary's office and examined all the reports on the navy pension fund. I had then some further conversation with Mr. Tracy, who showed me a resolution he had drawn up, to be added as a fourth after my three; but he appeared unwilling to offer them to the committee, and I therefore agreed to withdraw from the committee my third resolution, unless some occasion should in the course of discussion call for it, in which case he will also offer his, which is a general resolution, that it is expedient to fortify our harbors, increase our naval force, &c., which I presume will never be adopted in Senate, if agreed to in committee. I *did* show to the two members of the sub-committee my third resolution, at which they were at first a little startled, but which before we parted they seemed to think better of than I do myself. It was past four o'clock when I got home to dinner. In the evening I drew up the two resolutions to be prepared for the consideration of the sub-committee. The subject is so important as a national concern that I state thus minutely my agency in it. I have given it much anxious thought, and observed its progress with all my attention. Having formed in my own mind an opinion of the course to be pursued, I have found none proposed by others which I could consider as equally eligible, and therefore I was compelled in committee to

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deviate from the usual course of leaving every thing to the chairman, and to propose my first resolution as a substitute for his. A hint from Dr. Logan, destined for a very different purpose, led me to bring forward my second resolution. The third I still reserve. As on this occasion the *conciliation* of parties as much as possible is, in my view, still more important than what the precise measures to be adopted may be, I have so far given up my own opinion as to accede to Smith's non-importation project, as modified by Mr. Anderson. At present, if it does little good, it will in all probability do less harm. I hoped for support from Mr. Tracy, or for some measure proposed by him, which I could heartily support; but this hope I must abandon. Tracy, with all his talents, which are very great, and all his virtues, which are many, cannot divest himself enough of party feelings. He has been so ill treated by the party of this administration, and is so sore under the injuries he has received from them, that he can on no great occasion coalesce with them. In regard to my resolutions, he has so hesitated and wavered, that if he finally gives them his vote it is all I can expect. His own proposition I think cannot be adopted; nor do I think it a very useful one *on this* question. The result of all is, that in taking a lead, a man must rely *only upon himself;* that in obtaining a lead, a man must calculate upon the opposition of his best friends as much as upon that of his most determined adversaries; that the sterling weight of the measures themselves must force them down against the reluctance both of friends and foes. This is very decisively the case when the character of a leader is to be acquired. When once obtained, then the assistance of friends and supporters offers itself. This is the third session I have sat in Congress. I came in as a member in a very small minority, and during the two former sessions almost uniformly avoided to take a lead. Any other course would have been dishonest or ridiculous. On the very few and unimportant objects which I did undertake, I met at first with universal opposition. The last session my influence rose a little. At the present it has hitherto been apparently rising; though I have continued in the same system, to avoid all appearance of an attempt to lead, until this great national subject

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of deliberation arose. Even on this I took none of the usual means to be put upon the committees relating to it. When on them, I came forward as late as possible; and I see that the advancement or declension of my influence will depend on my conduct throughout this affair more than on any other single subject. But the occasion calls for every exertion of my faculties to serve the public, and I can never cease to regret that those faculties are so feeble to meet such an emergency. I have set aside all party spirit, and I have devoted myself to honest and unwearied application upon the case. The gratification of my own vanity or ambition by a display of influence would be a despicable motive, of which I am utterly unconscious. The chance of a possibility that I may render real service to my country is very small—yet, small as it is, not to be abandoned in peevishness or despair.

3d. Attended the sub-committee this morning at nine. We agreed to report the two resolutions as I had drawn them up to the large committee. Mr. Tracy called me out of the committee room and showed me a new draught of the resolutions, including my three, his own one, and additional resolutions for communicating them to the President and House of Representatives. They were all considerably varied in the phraseology, and every epithet betokening resentment was left out. I could not consider these alterations as improvements, but I told him he might move such amendments as he thought most advisable, and I would acquiesce in them. On meeting the large committee, the sub-committee reported the two new resolutions. Mr. Tracy recurred back to the first resolution *which had already passed*, and moved a verbal amendment founded upon a punctilio of precision in the terms, which had arisen from an interlineation proposed by Mr. Anderson to my first resolution as it had originally stood. Smith, the chairman, was delighted at this, because he found in it his revenge for the mortification he had sustained by the preference of my resolution to his own. He laughed, and said he supposed other gentlemen would as readily resign their modes of expression as he had his. Anderson immediately observed that the inaccuracy was occasioned by his interpolation; and I agreed

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to Mr. Tracy's amendment, though not without some manifestation of temper. Another of Tracy's amendments was this—I had used the word *capture* in one resolution, and *seizure* in another, to express the same thing. He proposed to strike out the word capture where I had used it, to introduce seizure. Now, both the words are commonly used and understood in the same sense; but in rigorous criticism capture appeared the proper term; I agreed, therefore, to use that in both cases. I could not, however, forbear to feel this renewed discussion upon a resolution already adopted, for the purpose of introducing such amendments as these, more as hypercritical than friendly; and I felt it the more from the triumph it afforded Smith. I had also used the terms *wanton* violation and *direct* encroachment. Tracy moved to strike out both the epithets; to which I agreed, observing at the same time that I should myself have preferred to retain them. Mr. Baldwin said the term wanton was not only offensive and irritating, but would be denied in fact, as they were contended to be acts of absolute necessity. I replied, with warmth, that the term *wanton* might with the strictest justice be applied to the solemn mockery of Sir William Scott's decisions, contradictory to each other upon the same point—one day boasting of his judicial independence, and the next declaring the text of the king's instructions to be his only guide. However, I agreed to abandon the epithets, though other members, and particularly Smith, were very desirous to retain them. In the midst of this discussion we were summoned to attend the Senate (which was in session), and adjourned. In the course of the morning Mr. Tracy came to me and said he hoped this affair would not make any misunderstanding between us, and if it was disagreeable to me he would not move another word of alteration. I told him by no means—that I had no particular attachment to my own forms of expression, and would cheerfully agree to all his proposed amendments. This is true. I hope also that this circumstance will lead me to be still more solicitous for accuracy and precision than I ever have been. I may be sure that no error in this respect will escape his penetration. In reflecting coolly on the day and its events, I ought to thank

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him for his severity, and to be more correct another time. I ought also to be content that Smith should have the gratification of seeing my composition run the gauntlet as well as his own.

In Senate, memorials were presented from Salem, by Dr. Mitchell; and from Boston, by Mr. Pickering and myself. Referred to the committee on the Baltimore and other memorials. Dr. Mitchell presented a memorial from New York respecting the *Seamen's fund.* Referred to a select committee of three; on which I was placed. The secret bill was taken up, and discussed on the final question until three o'clock, when the Senate adjourned without taking the question. Worthington, Smith of Ohio, and Kitchell spoke in its favor; Hillhouse, Tracy, and myself against it. I made a very incoherent speech, without order and without self-collection. It was likewise obviously a very tedious one to all my hearers. The Vice-President, by the way, does not love long speeches, and desired Mr. Tracy (to ask) that when we were about to make such we should give him notice; that he might take the opportunity to warm himself at the fire.

4th. Met the committee on the President's message. Mr. Tracy offered a resolution as a substitute for my second, totally varying its complexion, which I opposed with perhaps too much warmth. The question was taken, and decided in favor of mine. Dr. Logan moved an amendment, which was not carried. Finally, after a long discussion, the three resolutions were agreed to, amended as far as they could be made to suit a majority of the committee. On the third resolution, the non-importation project, Baldwin, Logan, and Tracy voted in the negative; Smith, the chairman, Anderson, Mitchell, and myself in the affirmative. It will in all probability not be carried in Senate. Mr. Tracy said he should hold himself at liberty to offer in Senate the resolution which he had proposed as a substitute for my second in committee. Smith told him he certainly might, but he hoped he would not. I was then requested by the committee to draw up a fair copy of the report as agreed upon, and present it to-morrow morning, to which I consented; and which I accordingly did, while the Senate was in session.

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The day's debate was chiefly confined to the bill for prohibiting the trade with the blacks of St. Domingo. Mr. Bayard moved a postponement of the bill, offering for consideration two resolutions, requesting of the President Treasury documents to show the amount of duties and the value of this trade; and also a communication of the Secretary of State's answer to the complaint of the French Government and Minister. The postponement was at first refused; and it was determined to proceed in the consideration of the bill. The committee to whom it was referred at the second reading had reported an entire new bill, but their report was not made regularly conformable to the rules of order. They reported the bill as *amended*, without reporting that the whole substance of the original bill should be stricken out. This gave rise to no small debate upon the question of order. It was, however, finally got over by a member's moving to strike out all but the enacting sentence of the original bill; which was done, and then the amended bill reported by the committee was taken up. The first section was agreed to. The second gave rise to a debate, upon which Mr. Bayard's motion for postponement was renewed and carried. He then again offered his two resolutions, and the Senate adjourned.

5th. Met the committee on the President's message and presented the report drawn up according to their request; which was agreed to, and reported in Senate by the chairman, General Smith. Mr. Tracy is in perfect good humor again; at which I cordially rejoice. The committee on the seamen's fund, Dr. Mitchell, General Smith, and myself, met for a few minutes; and the chairman is to write to the Secretary of the Treasury for information. In Senate, the day was chiefly employed in discussing the two resolutions offered by Mr. Bayard; both of which were negatived, by yeas and nays. He supported them with his usual eloquence. But, if oratory be the art of *persuasion*, he has some material defects in his practice. In copiousness both of language and of thought he is truly admirable. His language is also generally elegant, without being highly ornamental. But he is not always judicious in the choice of his arguments; he often dwells too long upon

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the weak, and not unfrequently maintains the obviously untenable. He wants correctness, because he wants application. His genius is never at fault, but his judgment is often on the wrong scent. Another and still more hurtful oratorical failing is the want of control over his temper. The consciousness of his own powers is not without some perceptible debasement of others. Impatient of contradiction from men of understanding inferior to his own, he arraigns their motives, and too clearly manifests his contempt for their characters. His manner is always commanding, rather than conciliatory. This is a remarkable difference between his talents and Tracy's. He this day, in the debate on his second resolution, charged his opposers with so much virulence that several of them complained and retorted. He replied by asserting his right to make such reflections. The Vice-President said he should in future call gentlemen to order who indulged themselves in reflections upon motives. After his resolutions were rejected, Smith of Maryland offered a substitute for the second section of the committee's bill; which is to be printed and taken up to-morrow. Smith and Dr. Mitchell, who at first vehemently opposed the introduction of the bill, have become supporters of it, grounded on their fears of the resentment of France. I took no part in this day's debate, but drew up the first sketch of a bill to prevent the abuse of the privileges of foreign Ambassadors and Ministers, which I intend to propose. In the evening, besides my usual occupations, I consulted Vattel on this subject.

6th. Met the committee on the Articles of War, and made progress in amending the bill to the forty-fifth article. In Senate, a confidential message was received from the President, with a letter from Mr. Monroe of 26th November, and a note to him from Lord Mulgrave, mentioning that the Government had taken up the subject of Mr. Monroe's complaints and would duly consider them. The doors being closed, the secret bill was resumed. I moved that the bill be committed to a select committee, with instructions to enquire into and report whether West Florida was or was not included in the cession of Louisiana by France to the United States in the Treaty of

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30th April, 1803. This occasioned a debate of three or four hours, at the close of which my motion was negatived by yeas and nays—yeas eight, nays twenty-three. Mr. Pickering then moved a postponement of the bill to take up a resolution asking the President for papers respecting the title and the boundaries of Louisiana eastward and westward. This also was negatived. On the main question, Mr. Bayard then made a very powerful speech of about one hour in length, to which no reply was made. General Sumter finally declared himself to be averse to the bill, or not prepared to vote; upon which an adjournment immediately followed.

7th. The committee on the Georgia Land petitions was to have met this morning; but the members did not attend. In Senate, a message was received from the President, with an Indian Treaty. The day was again spent upon the secret bill. General Sumter made a speech at some length against it. Mr. Tracy moved successively two amendments: one to strike out two millions and insert one, the other to introduce a clause specifying the object of the appropriation to purchase the Floridas—negatived by yeas and nays, thirteen to eighteen. Dr. Logan had previously moved a postponement of the bill, to recommend further negotiation, which was also negatived. Mr. Tracy concluded the debate on the bill by a short speech against it. Mr. Bradley moved to postpone the question until Monday, on the ground of the recent news from Europe materially varying the aspect of things. This also was refused, and just before five o'clock the question on the bill was taken—seventeen yeas and eleven nays. Bradley, Logan, and Mitchell absented themselves purposely, not to vote on the question. Smith of Ohio was also absent; probably not, however, for that reason. The measure has been very reluctantly adopted by the President's friends, on his private wishes signified to them, in strong contradiction to the tenor of all his public messages. His whole system of administration seems founded upon this principle of carrying through the legislature measures by his personal or official influence. There is a certain proportion of the members in both Houses who on every occasion of emergency have no other enquiry but what is the

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President's wish. These, of course, always vote accordingly. Another part adhere to him in their votes, though strongly disapproving the measures for which they vote. A third float in uncertainty; now supporting one side of a question and now supporting the other, and eventually slinking away from the record of their votes. A fourth have the spirit even to vote against the will of their leader; of which number on this occasion were Sumter, Stone, Adair, and Gilman. This is, however, one of those temporizing expedients the success of which is very doubtful. If a really trying time should ever befall this administration, it would very soon be deserted by all its troops, and by most of its principal agents. Even now they totter at every blast. I rode home with Messrs. Gaillard, Smith of Vermont, and Thruston.

8th. I attended the committee on the Georgia Land petitions. I was at least two hours at the Capitol before I could get together four members of the committee—Baldwin, Sumter, and Bradley, with myself. Mr. Anderson again failed to attend. Mr. Bradley now moved that the chairman should write a note calling upon the petitioners to state *in writing* their propositions for a compromise, and their powers, with a *transcript* of the deeds by which the titles were conveyed from the original grant to the right of their principals. As the accomplishment of this would inevitably have delayed the committee several weeks, and as this was obviously Bradley's purpose by it, I opposed it as much as I could. Bradley finally gave up the transcript, and altered it to a *deduction* of the rights from the original grants to the present claimants. This was finally agreed to by the majority, in spite of my opposition. When these papers come, they will, in all probability, furnish Bradley some hook for further suspension, or some pretext for arresting the subject short. It is clearly his real intention to prevent the discussion of the subject in Senate, and of course the doing of any thing for the petitioners. His pretended purpose is to make a final settlement of the business now, that Congress may never hear of it again. Sumter is in favor of the petitioners, but, not seeing through Bradley's projects, is always falling into

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his snares. Baldwin is avowedly opposed to the claims, and of course favors every thing that can tend to defeat them; and Anderson, who began by being very zealous for the petitioners, has cooled down to such a degree that he has already hinted to me they must be abandoned, and has avoided, for several of the last meetings, to attend the committee at all. Of course I have only to make myself easy upon the subject, with the confident assurance that nothing will be done. Bradley is a man of a marked character, and discovers it on all occasions. He is now open-mouthed against the Two Million bill (the secret bill), and says that he was never let into the real secret of the business until two days ago. That then he was informed by *Mr. Anderson* that after Talleyrand had declared so positively against our claims in the controversy with Spain, he had, by an unofficial, unsigned note, given Mr. Armstrong to understand that Spain was much in arrears in the subsidy due from her to France, and that if we would offer to pay them she might be prevailed upon to cede us the Floridas for the money. This note has been transmitted to our Government, and is the whole foundation of the President's policy with France and Spain. Thus, while the public message at the commencement of the session breathed nothing but force, and almost recommended immediate war, the private whispers to friends were for this money, and for authority, as it is called, to exchange land for land. Accordingly, the House of Representatives have passed and communicated to the President, without asking the concurrence of the Senate, two resolutions recommending to him to give land rather than money for land. Thus armed, he is now prepared for a negotiation by which we may renounce all our claims upon the western boundary of Louisiana and pay several millions to get the Floridas. This is a great falling off from the tales with which we were soothed two years ago into the ratification of the Louisiana Treaty. Bradley says that Talleyrand treated our Ministers, Livingston and Monroe, as *Laban* treated *Jacob*—after serving him seven years for a wife, when he awoke in the morning, instead of Rachel, behold it was *Leah*—and now this money must be given to patch up this blunder. Poor Bradley, however, with all this, slunk away

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yesterday at the instant when the question on the bill was taken. He says he *thought* Mr. Bayard was going to make another long speech against it, and that he went away for fear of losing his dinner because it was so late. I suppose some of his friends have rallied him upon his retreat at the critical moment; by this attempt to apologize for it. A man's character is often discoverable in his opinions as well as in his actions. Bradley says that *all* the talents of a public Minister consist in the degree to which he possesses the art of *overreaching*. The pains that Mr. Anderson has taken privately to raise jealousies against the secret bill, convince me that he too has been looking one way and rowing another. In the debates, he has been the most zealous and active supporter of the bill; but, besides this story which he told Bradley, and which made Bradley, as he says, averse to it, Anderson has told me several times that he wished the devil had the bill—that it had never been brought in; that I did not know by one-half how bad it was, and that it was the most pernicious measure that ever Mr. Jefferson had determined upon. But so it was—so he would have it—and so it must be. I have taken Wicquefort out of the public library, to consult him respecting the bill I purpose to ask leave for bringing in; but had this day no time to look into him.

10th. In Senate, the bill prohibiting the trade to St. Domingo was taken up, and, after passing through various amendments, passed to the third reading. Mr. Bayard moved an amendment, which was not adopted, and for which I did not vote, as I did not approve it. Afterwards the bill for the relief of Seth Hardinge was taken up. Bradley, who brought it in, moved its postponement and reference of the petition and papers to the Secretary of the Navy, which I opposed, and Bradley withdrew his motion. I then moved an amendment, by which Captain Hardinge should be placed on the pension list generally, but not quartered on the navy fund. This amendment I supported with all my power, but it was negatived by a majority of two to one. I then called for the yeas and nays on the bill, and they were eighteen to nine, and four members absent. Mr. Bayard, who voted against me, after the adjournment said to

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me, "Your amendment shared the fate of mine." It was very true; and, as I felt a very strong confidence in the correctness of the principle on which I had moved for the amendment, I was proportionably vexed at its failure. I endeavored to convince the Senate with more warmth than strength. My doctrine was good, but it was not well defended. Dr. Mitchell, who, two days ago, told me that I was certainly right in this case, voted, however, against me. I have so often experienced this, and from so many members of the majority, that it is no longer an object of surprise. I never count upon their votes from any thing they say beforehand. Bayard is at least more honest. He always tells me when he thinks me wrong, as he did on this occasion. His gratification on finding my failure of success was natural enough, on its succeeding so immediately his own. Evening at home, reading Bynkershoek and Vattel.

11th. In Senate, the bill to prohibit the trade with St. Domingo was taken up at the third reading, and, after many amendments and much desultory discussion, committed a second time to a select committee. The bill to prohibit the exportation of arms and ammunition was also taken up, amended and discussed, and passed to a third reading. I spent the evening in drawing up a bill to prevent the abuse of the privileges and immunities enjoyed by foreign Ministers, which I intend asking leave to bring in; not from any expectation of success, but in what I think a discharge of duty, and to open the subject for discussion.

12th. I was summoned to attend a committee this morning, but the members did not attend, and there was of course no meeting. A bill respecting the salaries of the judges at New Orleans was taken up and partially debated; postponed. I gave notice of my intention to ask leave to-morrow to bring in a bill respecting foreign Ministers. The notice appeared to cause considerable sensation, and several members afterwards enquired what was my object. On being informed, some testified approbation, and others the contrary. *The three resolutions* were then taken up; and the first, after some small discussion, was agreed to *unanimously*, twenty-eight members answering in

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the affirmative.[1] The second, after some discussion, was left undecided by an adjournment.

13th. Summoned again upon two committees, but neither of them could form a meeting, for want of punctual attendance. In Senate, according to notice yesterday given, I asked leave to bring in my bill, which was granted without opposition. It was read, and passed also without opposition to a second reading. The bill respecting the salaries of the New Orleans judges, after some debate and amendment, passed to a third reading. The second of the three resolutions was then resumed, and debated until four o'clock, when, without taking a vote, the Senate adjourned. In the evening I went with the ladies to a party at Mr. Madison's. There was a company of about seventy persons of both sexes. I had considerable conversation with Mr. Madison, on the subjects now most important to the public. His system of proceeding towards Great Britain is, to establish permanent commercial distinctions between her and other nations—a retaliating navigation act; and aggravated duties on articles imported from her. This is doubtless the President's favorite policy. Mr. Madison expressed his entire approbation of the bill I have brought in respecting foreign Ministers; that is, of the principle. The bill itself he has not seen.

14th. Attended the committee on the Georgia Land petitions. The committee determined to write again to the agents of the petitioners, and call upon them for further powers, and a stipulation to bind all the remainder of the claimants whom they do not represent. I find it in vain to oppose this course of proceeding, because all the other members of the committee are determined upon it. Baldwin, the chairman, in a manner truly characteristic, attempted to surprise the committee into a resolution not to *proceed* any further until a complete representa-

[1] The resolution was in these words. It applies to the well-known rule of '56:

"Resolved, That the capture and condemnation, under the orders of the British Government and adjudications of their Courts of Admiralty, of American vessels and their cargoes, on the pretext of their being employed in a trade with the enemies of Great Britain prohibited in time of peace, is an unprovoked aggression upon the property of the citizens of these United States, a violation of their neutral rights, and an encroachment upon their national independence."

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tion of all the claimants should appear to join in the compromise. This, however, was opposed, and he could not carry it. We are to meet again. In Senate, the bill concerning foreign Ministers was read the second time, and referred to a committee of five, of which I am chairman. The opposition has not yet made its appearance, except in the appointment of the committee, two of whom are undoubtedly opposed to the principle of the bill. The second of the *three resolutions* was again taken up, and very warmly debated until past four o'clock. Finally, after a great variety of propositions, the words "and insist upon" were stricken out by a vote of sixteen to fifteen, and then the resolution passed—twenty-three yeas and seven nays. Several attempts to adjourn were made, but could not succeed, because, it being Friday, the Senate could not, as usual, adjourn over until Monday without a previous vote to that effect; and, desirous as the opponents of the resolution were to get rid of it for a day by adjournment, they did not choose to lose the usual Saturday's holiday, or despaired of carrying it. Here then is a distinction in practice, which makes it easier to press the taking of a question on a Friday than on any other day.[1] Thus my two resolutions are disposed of much more favorably than I expected. The third belongs to General Smith and Mr. Anderson, and I doubt very much whether it will be adopted. Spent the evening with the ladies at Dr. Thornton's, with a numerous company. There were card-parties, as usual, but I did not play. The Vice-President

[1] The resolution was to this effect:

"Resolved, That the President of the United States be requested to demand *and insist* upon the restoration of the property of their citizens, captured and condemned on the pretext of its being employed in a trade with the enemies of Great Britain, prohibited in time of peace; and upon the indemnification of such American citizens for their losses and damages sustained by those captures and condemnations; and to enter into such arrangements with the British Government on this and all other differences subsisting between the two nations (and particularly respecting the impressment of American seamen) as may be consistent with the honor and interest of the United States, and manifest their earnest desire to obtain for themselves and their citizens, by amicable negotiation, that justice to which they are entitled."

The words "and insist" were stricken out. The debate which took place is found in Benton's Abridgment, vol. iii. p. 257, et seq.

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was there, and spoke to me of my bill respecting Ministers with strong approbation. Mr. Wright did the same. Mr. Wagner suggested to me the propriety of some additional provisions to be introduced in it. News of the battle of Wischau came this evening.[1]

15th. Attended the committee on the Articles of War at ten this morning. General Sumter, the chairman, and Mr. White also attended. Mr. Anderson and Mr. Wright were absent. We continued the examination and amendment of the bill to the eighty-eighth article—when, having sat upwards of four hours, General Sumter said he could not sit longer, and we adjourned. General Turreau was here, and spoke to me of my bill; said he hoped I should not carry it through, for he should otherwise be afraid of being shipped off himself—which would be equivalent to delivering him up to the English. He said this jokingly, and I answered him, that if the bill should pass there would certainly never be any occasion for its application to *him*, as I was certain he would never give cause for the exercise of the power I contemplated to vest in the President. He replied that his first remark had only been *par plaisanterie*, and said that he perceived by my bill I understood the usages of Europe as well as those of my own country. Then, by a natural transition, adverting to the Marquis's letter to Mr. Madison,[2] he said that, considered apart from its publication, which he did not attempt to defend, it did not appear to him that there was any thing in the letter itself but what a Minister, zealous in the cause of his Government, might be justified in saying. I told him there were, besides the publication and its manner, two other things in the Marquis's conduct which I thought far exceeded the rights of a foreign Minister, and which were extremely offensive to our Government and nation. The one was the circular to the other foreign Ministers here, enclosing copies of his letter to Mr. Madison, and the other was the

[1] A slight success obtained by the Russo-Austrian army previous to their great defeat at Austerlitz.

[2] The Marquis de Casa Yrujo, Minister from Spain. He married a daughter of Governor McKean, in Philadelphia. He seems to have felt himself so much domesticated in America as to forget his official position, even to the extent of appealing to the public against the government, in the newspapers.

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manner in which the President's name and official conduct were treated in the letter itself. I had seen in the public papers an attempt to justify the Marquis's circular by the precedent of the reciprocal memorials of the French, English, and Prussian Ministers at the Hague in 1786 and 1787. This precedent I said was an aggravation of the outrage. For what was that case? In 1786 and 1787 the civil dissensions and internal party struggles in Holland had come almost to a civil war. In that situation three foreign powers, France, Britain, and Prussia, undertook to interfere and settle by concert among themselves the fate of Holland; and therefore their Ministers at the Hague communicated to each other their diplomatic communications with the Dutch Government, which was to receive the law from them. Did the Marquis pretend that he and the French and English Ministers, or any others here, were by concert to give us the law?

He interrupted me here, and said he had seen that attempt at a justification, but that it appeared to him that there was no sort of analogy between the two cases, and that the precedent was not applicable. He also admitted that the use of the President's name and the direct reference to his message were improper; but otherwise the contents of the letter did not seem to him to transgress the bounds of a Minister's rights. I replied that I well knew what the rights and independence of a Minister were, and with what freedom and boldness he must always be allowed to maintain the interests of his sovereign; I would be the last man in the world to infringe those rights; but there were correlative duties, which a public Minister on his part was equally bound to observe; and if he violated them, the Government to which he was addressed must have the means of removing him. The President of the United States did not, in most respects, stand on the footing of a European sovereign; but as to his addresses to the Legislature on their assembling——

Here the General interrupted me again, and said that in this respect, undoubtedly, he was to be considered as precisely in the same situation.

"Well," said I, "let me suppose the Emperor of France had

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delivered a speech, or sent a message to the legislative body, and a foreign Minister at Paris should undertake to write and circulate such a comment upon it as that of the Marquis in this case, how long would such a Minister be suffered to remain in France?"

He smiled, and said, probably not long. But, he said, there had been many little irritating circumstances, which had provoked the Marquis; and, for instance, his letter had not been *answered.* A foreign Minister might, at least, expect to have an answer. I said that perhaps the answer was withheld because the character of the letter had forfeited the right to one. But, said he, I know your Government does not answer, for they have not answered me. I said that I did not mean to consider his case as at all similar to that of the Marquis; that he had spoken to our Government in terms very plain, and, to say the least, very energetic; but I had heard no complaint against him *personally* on this account: he had been understood as only discharging his duty, and had given no cause of offence. He concluded by observing that as the Marquis had, in this instance, been unfortunate, he had sympathized with him "non ignara mali, miseris succurrere disco," and therefore he had taken him with him to Baltimore; that he was sorry for him, as he was certainly a man of good understanding and fine parts. I told him I was convinced of that, and it was an aggravation of his conduct—which I should more easily have excused if I could have imputed it to ignorance or weakness. When a man of sense behaves in such a manner, it betrays a sentiment of contempt at the bottom of his heart, which is more insupportable than the insults themselves. Here our conversation ended.

18th. Mr. Worthington told me that he liked my Minister bill very well, and he believed he should vote for it; that he had conversed with the President about it, and the President was well pleased with it. He had asked the President, if this law had been enacted before the Marquis's late misconduct, what he would have done with him; and the President answered that he would have taken good care of him. My conclusion from this is, that *in reality* the President has given

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the word *against* the passage of my bill. I spent the evening in making further extracts on the subject.

19th. Met the committee on my bill—Smith of Maryland, Tracy, and Baldwin. Smith of Vermont did not attend, being confined at home by indisposition, and Tracy, after sitting a few minutes, left us to go upon another committee. Mr. Smith appears disposed to do something, but he thinks a short bill, of a single section, would answer. He had one ready drawn, but did not propose it; the discussion being confined to the principle itself. Mr. Baldwin, professing to be very favorably disposed to the object of my bill, started by way of *doubt* a variety of objections, which I endeavored to answer as well as I could—asked whether any European power had made laws on this subject; whether the President had not the power without a law; whether, if a doubt on this point existed, it was not because the power ought to exist in Congress, as being tantamount to war; and whether it would not be better in every particular case for Congress to act by joint resolves, requesting the President to order or send away such an offender; whether any examples had occurred of Ministers sent away by actual force, &c.

These, I presume, are the ostensible grounds upon which my bill will be rejected, and in them the weight of objection against it lies. But I had another symptom of its fate, as sure as the black vomit portends the issue of the yellow fever. Just before the committee met, Mr. Wright, who last week was so decided in favor of my bill, came to me and said that upon looking into the subject more fully he found there were *very great difficulties* in the way. For that Ministers, he found, enjoyed the right of *exterritoriality*. They were considered as never in the territory of the sovereign to whom they are sent; and his argument was that *therefore* they cannot be ordered to quit the territory. Wright's arguments are always about of this force, but they always answer the purpose of the vane on a steeple; they show which way the wind blows.

In Senate, the St. Domingo bill again employed the greatest part of the day. Between three and four o'clock they came to the question on the passage of the bill. Mr. White then

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moved an adjournment, stating that he intended to speak on this question, and was somewhat unwell. The adjournment was at first refused, but afterwards, with no very good grace, agreed to. Mr. Pinckney, of Baltimore, Mr. Harper, and Mr. Foster spent the evening below; and I passed most of it with them.

20th. Met the committee on my bill again. I had great difficulty in collecting them together, and Mr. Smith of Vermont was still absent. We had but little discussion upon the principles, and finally they agreed that I should report the bill, with an additional section by way of amendment; but none of the committee being pledged to support the bill. General Smith proposes a short bill of a single section; and that is what will eventually pass, if any thing. The Marquis's letters last published seem, however, to have frightened many of them; so that probably nothing will be done. In Senate, a bill for classing the militia was read, and occasioned some discussion. General Smith moved the appointment of a committee to carry the two resolutions to the President. The motion lies on the table. The St. Domingo bill passed—twenty-one yeas and eight nays. Before its passage, Mr. White delivered against it one of the most powerful and beautiful speeches I have ever heard made in Congress.[1] Mr. Moore and Mr. Wright were the only persons who ventured to oppose him, and they made but an indifferent figure.

21st. Met this morning the committee on the Georgia Land petitions. Mr. Bradley engaged to draw up a report, and I agreed to draw a bill conformably to the principles agreed upon by the committee. In Senate, some time was wasted upon Mr. Wright's bill respecting the impressment of seamen, which they knew not what to do with. At length, however, when he called for the yeas and nays, they determined to recommit his bill, which was accordingly done. Mr. Worthington laid on the table a resolution for adjourning on the 10th of March. Some debate was had upon the question whether the Senate could adjourn over until Monday; but the motion to that purpose eventually prevailed. After the adjournment,

[1] Reported in Benton's Abridgment, vol. iii. p. 360.

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I went into the room where the Supreme Court is in session, and heard part of an argument of Mr. Harper.

22d. I attended the committee on the Rules and Articles of War. We finally got through the revision of the bill; and I agreed to make a copy of all the amendments we have determined to propose, for a report. The committee adjourned early. I went into the library and examined several books there. Attended the Supreme Court, and heard Mr. Pinckney, whose manner of speaking I think too vehement. He was, however, just at the close of his argument when I went in. I wrote in the Senate chamber until four o'clock, and then went home with Mr. Cranch, and dined with him. Mr. Quincy was quite unwell with a severe cold. We had much conversation upon the state of our public affairs, and I find my friend Quincy differing from me in opinion upon some of the most important points of our policy. We discussed them at considerable length.

25th. I dined at the President's, with a company of fifteen members of both Houses, all federalists, and consisting chiefly of the delegations from Massachusetts and Connecticut. Mr. White, of Delaware, was also there. I came home early in the evening, and spent it in writing. Conversing with the President on public affairs, he told me that he understood Mr. Gregg's proposition was to be abandoned, and that the question would be between *Mr. Nicholson's* resolutions or nothing. I said it seemed probable that *nothing* would eventually have the preference. He said that then we must abandon our carrying trade, for that unless something were done in aid of negotiation Great Britain would never yield on this point. His own preference is manifestly for Nicholson's resolution, which is indeed a renewal of his own project in 1794, then produced in Congress by Mr. Madison. He appeared not well pleased when I intimated the suspicion that *nothing* would be done. So he probably counts on the success of Nicholson's motion.[1]

[1] After a long debate, reported in Benton's Abridgment, vol. iii. pp. 419–464, the resolutions of Mr. Nicholson, far more moderate than those of Mr. Gregg,

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27th. Met the committee on the Articles of War. They agreed to report the amendments as I have drawn them up, and almost in every point the same as those I reported to the bill at the last session. They were accordingly reported by the chairman, General Sumter.

In Senate, a bill to punish the counterfeiting of coins, domestic and foreign, was debated as in committee of the whole at the second meeting. I proposed a variety of amendments, all of which were rejected. One of them was to prevent the absurdity of making a man subject to two trials for the same offence—one under the United States and the other under the separate States. Mr. Bayard was the principal opposer of all the amendments I moved. At last, however, I obtained the striking out of a section which raised a penalty for counterfeiting foreign coins *not current* by law. My objection was, the Constitution only empowered Congress to punish for counterfeiting the *current* coin. The question was taken by yeas and nays, and the section stricken out—seventeen to eleven. Dined at Mr. Madison's, with the Judges Marshall, Washington, and Johnson, Mr. Breckinridge, now Attorney-General, several members of Congress, and other gentlemen. In the evening there was a party of ladies, and cards.

March 3d. In Senate, the first subject taken up was my bill respecting foreign Ministers, to which I spoke about an hour and a half. Mr. Smith of Maryland, and Mr. Pickering, objected to particular parts of the bill, but not to its material principle. Mr. Bayard, in a speech of some length, opposed both the general principle and many of the details. Mr. Worthington advocated the bill in its present shape. At length, by a vote of seventeen to eleven, the bill passed to a third reading,

were adopted by the House of Representatives, by a vote of eighty-seven to thirty-five.

This discussion is also memorable as developing the first symptoms of discontent with the administration in Mr. John Randolph, Jr., who had now reached the maximum of his remarkable power over the House of Representatives. Very few of our public speakers have left so high a reputation for eloquence, with so small a basis of statesmanship to support it. From this date his discontent assumed more and more of a morbid character, until he died having actually left nothing to make good the promise of his outset.

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with a view then to amend it so as to accommodate it to the opinions of a majority. It is, however, still most probable that it will not be suffered to pass in any shape. I had no reason to be satisfied with my performance this day—but reason to thank Heaven that I did not more grossly fail.

4th. The bill for punishing the counterfeiting of coins also passed. But words were introduced, as I have all along expected, exactly equivalent to the fourth section of the bill, which was struck out as *unconstitutional*. Mr. Baldwin was the man who devised this mode of veiling the violation of the Constitution, by the selection of words in which the breach was disguised. It passed by yeas and nays, nineteen to nine; and the bill itself thus amended, twenty-two to four. This example proves to me, what indeed I have often seen before, that constitutional difficulties never will stand in the way of a majority, and that, even in so select a body as the Senate of the United States, a mere variation of phrase will contrive a loop-hole to creep from the most barefaced usurpation of power. Mr. Anderson requested me to publish the speech I made yesterday on my bill, to which I assented.

5th. The resolution for an appropriation to fortify New York and other ports and harbors was taken up. Dr. Mitchell, after a learned speech, proposed to fill the blank for the fortification of New York with one hundred and fifty thousand dollars; which by a silent vote was rejected. Dr. Mitchell was so disconcerted at the decision that he proposed not to take a question on the other parts of the report. General Smith of Maryland, however, moved to fill the blank with one hundred thousand dollars, which gave rise to some discussion, after which the subject was generally postponed. I drew a bill for the encouragement of the shipping and navigation of the United States, founded on General Smith's resolution committed to him, Mr. Baldwin, and me. Smith himself desired me, or rather as chairman ordered me, to draw the bill.

6th. Committee on the Georgia Land petitions. The bill I had drawn was submitted to them, and, being debated, Mr. Bradley proposed an amendment, which he promised to have in writing for the committee to-morrow morning. In Senate,

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General Smith reported the bill I drew yesterday at his request. The bill for the relief of Peter Landais was debated in committee of the whole at the second reading. Mr. Bradley moved to strike out six thousand and insert two thousand, which motion was rejected. On the question of its passage to a third reading, General Sumter moved an adjournment just as the Vice-President was stating the question, which gave him offence, and he said, Gentlemen should not move an adjournment while he was stating a question. The adjournment, however, prevailed. We could scarcely keep a quorum this day, Mr. John Randolph having made in the House of Representatives a speech of three hours against Gregg's non-importation resolution, in the course of which he uttered a very violent philippic against the present Executive and their course of policy. He has been so exasperated at the attempt to take the management of the House from his hands, and at his defeat on the secret bill, that he has poured forth all the ebullitions of his resentment on this question. It is said there is now very warm electioneering in the party for the next presidential election, and that Mr. Randolph's object in his present denunciation is to prevent Mr. Jefferson from consenting to serve again, and Mr. Madison from being his successor. Mr. Randolph's man is said to be Mr. Monroe. Sed quære de hoc.

7th. In committee on the Georgia Land petitions. Mr. Bradley produced his amendment, which was agreed to, and I undertook to draw up the bill as amended. The committee agreed to ask leave to report by bill. This was accordingly done. I drew the bill while the House was in session, and it was immediately reported.

My bill at the third reading was rejected.[1] The yeas and

[1] The bill to prevent the abuse of the privileges of foreign Ministers, upon the introduction of which the speech of the 3d of March had been made, was certainly a strong measure. The speech itself is to be found in Benton's Abridgment, vol. iii. pp. 364–368, as well as in the third volume of the Boston Anthology, printed in 1806, where it appears with a few additional notes. The proceeding was prompted by the conduct of the Marquis de Casa Yrujo, already referred to. Such proceedings unquestionably justified a resort to the proposed remedy. But it was probably regarded by the administration as implying discourtesy to other nations which had never offended, and as needless in the presence of a more simple alternative;

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nays were taken on each of the four sections. The decision on the first, however, was on the fate of the whole—seventeen to eleven. Mr. Bayard, Mr. Hillhouse, and Mr. Smith of Vermont were its principal opposers.

Mr. Gregg's resolutions were again debated in the House; and Mr. Randolph, in a second speech of two hours, renewed his attack on the President and Mr. Madison. I went into the House after the Senate's adjournment; but he was then just closing his speech, and the House immediately adjourned.

8th. I was summoned to attend three committees: on the Rules, on the Philadelphia memorial, and on the subject of impressed seamen. While sitting on the first, the last without me agreed to recommend a postponement of the subject to the next session. The committee on the Rules, Mr. Anderson, Mr. Tracy, and myself attending, agreed to some amendments and additions, and are to meet on Monday to consider the report as completed. We had much conversation with Mr. Anderson on the late nomination of Mr. Armstrong, which he very much disapproves, but which must be carried.[1] After finishing our business, I went into the House, which sits to-day, and heard part of the debate on Mr. Gregg's resolution. Mr. Williams, of South Carolina, was finishing as I went in, and Mr. Bidwell followed him in a speech of about half an hour. It was a tolerably good speech, but indifferently delivered. He has depreciated as an orator since I heard him in the Senate of Massachusetts. His friends appeared to be pleased with it, but as a popular speaker he never can stand as the rival of John Randolph. Evening at home, partly below,[2] where I found Mr. Van Cortlandt and Mr. Verplanck. The effect of Mr. Randolph's having thus suddenly turned upon his party is violent, and has thrown them into the greatest consternation. Its ultimate result can as yet scarcely be foreseen.

10th. In Senate. The third of the resolutions reported by

recourse was had to the customary practice of demanding the recall of the offending Minister, and it proved effective. The Marquis was recalled. But if Spain had declined to act, the propriety of such a law would have been less doubtful.

[1] John Armstrong, nominated as Minister Plenipotentiary to France.

[2] That is, in the receiving room, underneath his private room.

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the committee was taken up. Mr. Smith of Maryland made a speech of an hour and a half in its favor; after which the question was about to be taken silently, and the resolution would undoubtedly have been rejected. I desired a postponement generally, which was agreed to. The bill containing the Articles of War was taken up at the third reading, and almost gone through, when a motion of Mr. Anderson to introduce a new article gave rise to some debate, and the Senate adjourned. The nomination of Mr. Armstrong was postponed until to-morrow.

11th. The Articles of War were again taken up this day, and, after much discussion upon Mr. Anderson's proposition, they were finally agreed to, and the bill passed, with all the amendments reported by the committee. Mr. Armstrong's nomination was considered, and Mr. White made a very able speech against its confirmation. Mr. Smith of Ohio desired a postponement until to-morrow, which was agreed to.

12th. Met the joint committee on the Library—Mr. Mitchell, Mr. Baldwin, and myself, of the Senate; Mr. J. Clay, Mr. Dana, and Mr. T. M. Randolph, of the House. All present. We passed two or three votes, and are to meet again. We sat late, and when I went into the Senate I found that the South Carolina Tonnage bill had passed to a third reading while I was absent. The nomination of Mr. Armstrong was advocated by Messrs. Maclay, Moore, and Smith of Vermont, and opposed by Messrs. Wright, Smith of Maryland, Bayard, and Hillhouse. Adjourned.

13th. The greatest part of this day was spent in Senate, debating the nomination of Mr. Armstrong, which was supported by Messrs. Worthington, Mitchell, and Bradley, and opposed by Messrs. Wright, Pickering, Tracy, and Smith of Maryland. Mr. Wright moved a postponement to call for further papers, which was rejected by a small majority. Adjourned without taking the question. Mr. Bayard told me he had last evening some conversation with Mrs. Madison upon the presidential electioneering now so warmly carried on, in which she spoke very slightingly of Mr. Monroe.

14th. General Turreau told me that he had been this day in the House of Representatives to hear the debates, but that as

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Mr. J. Randolph rose to speak, he was afraid of hearing things disagreeable said of his Emperor, and therefore immediately retired. He thought that a degree of respect for the chiefs of other Governments ought to be observed by every speaker in a legislative assembly. He also told me that the claim of the heirs of Beaumarchais was a just claim, which would be established in any court of justice upon earth; and it was singular that in this country there was no court of justice where its merits could be tried. I note these things for future remembrance.

17th. The most important business done this day in Senate was the appointment of Mr. Armstrong, which finally prevailed. There was nothing said this day in his favor. The speakers against him were Mr. Smith of Maryland, Mr. Pickering, Mr. Wright, and myself, who closed the debate. The votes were fifteen to fifteen, and the Vice-President decided in favor of the appointment. Mr. Adair, of Kentucky, left his seat to avoid voting. He was averse to the appointment, but had not the courage to vote against it; and by his weakness this shameful transaction was accomplished. Of the fifteen members who voted for this nomination two-thirds at least answered with faltering voices. I consider it as one of the most disgraceful acts of Mr. Jefferson's administration.[1] A nomination of several new officers was also this day received—among others, a surveyor of New York in the place of Colonel Smith, who is removed. The Vice-President gave notice that he should not make his appearance after this day during the remainder of the session.

18th. In Senate, General Smith of Maryland was chosen President pro tempore. The report of the committee on the Senate's Rules was discussed and adopted. Mr. Tracy proposed an additional rule, whereby the Senate might go into committee of the whole, and the President might appoint a chairman. This, however, was strenuously opposed, and, after much debate, rejected. A bill for incorporating the Presbyterian congregation at Georgetown passed after a powerful struggle, and

[1] John Armstrong, best known as the reputed author of the Newburgh Letters, —a person of unquestioned ability, but not fortunate in any part of his political career. He failed to make himself acceptable in this mission, as will appear later in this diary.

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yeas and nays taken, sixteen to ten. The terror of ecclesiastical corporations is like Falstaff's terror of the gunpowder Percy though he be dead. One of the great difficulties in our legislation for the District of Columbia is, that every member of Congress brings with him the principles of his own State system, and these are so different that there is scarcely any common doctrine to which appeal in argument can be made.

19th. Mr. Jackson, one of the Senators from the State of Georgia, died this morning about four o'clock. His disorder was the dropsy.[1] Immediately on the meeting of the Senate this morning, his colleague, Mr. Baldwin, with tears in his eyes, gave notice of this event, and expressed his hope that the Senate would take the orders usual on such occasions. Mr. Anderson then moved two resolutions: one, that the Senate would attend the funeral, and that a committee be appointed to superintend the funeral and communicate the occurrence to the House of Representatives; and the other, that the Senators would wear crape for a month, in honor of the deceased. Both resolutions passed unanimously, and the Senate immediately adjourned. The committee chosen are Mr. Anderson, Mr. Sumter, and Mr. Wright.

21st. In Senate. The bill respecting the brig Heinrich and the claim against the Danish Government was rejected. My efforts in its favor were vain. The Charleston Tonnage bill passed. My endeavors against it were fruitless. And in both cases on the argument I stood alone. The New York nominations were approved, and the Yazoo bill was taken up. Mr. Baldwin made a speech against it, and the Senate adjourned over till Monday. Mr. Anderson came to me and called upon me to support the bill on the ground of the compact. In the moment of irritation for what had just passed, I answered him with too much warmth, that I cared nothing for the bill, and was not obliged to take its defence: it was not my bill, and its proper fathers must take charge of it. He only replied that he saw I was not in good humor, and left me. The Carolina bill had vexed me, because I considered it as aiming a direct stroke

[1] This is the hero and finally martyr of many duels, eulogized by Mr. Benton. See page 292. It is here said he died from a less noble cause.

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at Massachusetts. But I am convinced that the most effectual aid I can give to the Georgia Land bill is by remaining silent, at least until the members of the majority have come forward in its favor. In the evening Mr. Tracy and Mr. Pitkin were here.

24th. In Senate. A letter from Mr. Monroe to the Secretary of State was confidentially communicated by the President to the two Houses of Congress, with a request to have it returned; which was done. Much business was dispatched, because totally unattended to. An amendment to the Constitution, proposed at the instigation of the State of Pennsylvania, was on the point of passing without a word of discussion, after a formal speech of Mr. Maclay in its favor, for want of a word said against it. I arrested the question barely by asking whether it had *been printed.* Mr. Bayard then made some observations against it, and the discussion was made the order of the day for next Monday. A bill to incorporate a National Academy was as near passing; the question was again stopped by *me*, only by enquiring whether a blank was filled. It would have passed with the blank unfilled. The question, however, and the filling of the blank raised a discussion upon the bill, which was in substance rejected by an amendment changing its whole aspect. It was then, however, committed. The Yazoo bill was, at my request, postponed, Mr. Pickering and Mr. Tracy, on both whose votes I rely, being absent. The question would have been taken, as in the other cases, without a word of discussion, and the bill probably would have failed.

26th. Met Mr. Anderson and Mr. Tracy upon two committees—one upon the bill relating to foreign coins, on which the committee agreed to the report and amendments to the bill drawn up by Mr. Tracy; and the other upon the petition of Gilbert C. Russell, on which the papers were examined, but we had not time to agree on a report. In Senate, the principal debate was on the bill yesterday discussed, which was again debated at the third reading. Mr. Worthington had yesterday offered a resolution for stopping all credit upon the sales of the public lands. This was also much debated this day. Adjourned without coming to a decision. I yesterday moved for a com-

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mittee on the laws of this District, for the purpose of introducing Mr. Lee's projected bill. The committee was this day appointed—Mr. Baldwin and Mr. Wright, with myself.

27th. Met the committee on the District laws; but Mr. Wright had objections against Mr. Lee's bill. I asked him to draw up a bill to his own taste, and he agreed to draw one up for to-morrow morning. The day was spent in Senate debating a bill to provide defence for the Territory of Orleans by giving away lands to settlers on condition of militia service. It finally passed to the third reading, thirteen to thirteen, by the casting vote of the President. I moved that the Georgia Land bill should be made the order of the day to-morrow, which was agreed to.

28th. The Appropriation bill came from the House of Representatives, and passed to the second reading. I reported a bill, partly drawn by Mr. Wright, and partly Mr. Lee's, respecting the fees and some other judicial affairs in the District. Mr. Tracy's new Coin bill was read the second time, and committed to a select committee. At twelve precisely the Georgia Land bill was taken up, and I opened the debate with some remarks in support of it. It was then opposed by Messrs. Baldwin and Maclay, and supported by Messrs. Bradley, Smith of Vermont, Bayard, Pickering, and Wright, until half-past three. The discussion was perfectly cool and temperate. Mr. Turner called for the yeas and nays. Just before the question was taken, Mr. Sumter moved a postponement until Monday, which, however, did not obtain. The bill passed—nineteen yeas, eleven nays. Mr. Tracy moved an adjournment until Monday; but this was denied on account of the Appropriation bill. We are to meet to-morrow.

31st. Met the joint committee on the Library, and we made some further progress in our business. We agreed that the principal part of the fund appropriated this year should be expended by Dr. Mitchell, Mr. Clay, and myself, during the recess, in collecting books in Boston, New York, and Philadelphia, as the occasion may offer. We are to meet again. In Senate, the amendment to the Constitution, proposed by Mr. Maclay, was, after some discussion, postponed to the first Monday in De-

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cember next. The bill in favor of Hamet Caramalli was read the third time, and the blank filled. I opened the debate upon it by calling on the committee for the reasons on which they reported it. After some remarks from Messrs. Bradley, Wright, and Baldwin, the Senate adjourned without decision.

April 1st. In Senate. The Invalid bill passed as amended by the committee of the Senate, with some little debate. I was unable to give it proper attention, being employed in preparing to meet the bill in favor of Hamet Caramalli. This was taken up soon after twelve o'clock. Mr. Bradley, the chairman of the committee which reported the bill, made a speech of about an hour and a half in support of the report accompanying the bill, and in answer to my yesterday's objections and those of Mr.. Baldwin. I replied in a speech of about the same length, and endeavored to prove, by recurrence to the documents, that the report was erroneous in all its parts. I was interrupted at least twenty times in the course of my observations by Messrs. Bradley and Wright; several attempts were made to stop me as out of order, and to suppress the reading of documents—to favor the first of which the President himself very much inclined. I persisted, however, with success, and derived rather an advantage to the *effect* of my argument from their frequent interruptions. But it disconcerted the *method* which I had intended to pursue, and made my remarks more desultory and confused than they would else have been. In the *manner* I was, as I always am, *miserably defective;* but the substance was not without weight. I finished at about half-past three, when the Senate immediately adjourned. Mr. Stone and Mr. Turner both came to me and thanked me for the correct view I had taken of the subject, and the refutation of the misrepresentations in the committee's report.[1] Mr. Plumer desired me to come prepared for a new engagement to-morrow, as they would probably *rally* before that time. Evening at home, reading on this and the Non-importation bill.

[1] This speech is found in Benton's Abridgment, vol. iii. p. 372. The whole proceeding to which it refers appears at this day singularly in contravention of the established policy of the country, not to give aid or support in any internal struggles of foreign nations, however insignificant.

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2d. In Senate. After the usual formal business of first and second readings to bills in executive business, the nomination of a Colonel Hammond was negatived. There had been heretofore much debate upon it, and there was some this day. About one the bill in favor of Hamet Caramalli was again taken up, and Mr. Wright, in a speech of more than two hours, replied to my yesterday's objections. He abandoned, however, almost the whole ground taken by the committee, and placed the claim upon a foundation altogether different. Mr. Bradley began to propose amendments to his own bill. General Sumter opposed them, on the ground that the bill was connected with the report, which he *disapproved in all its parts.* Senate adjourned without a decision. Mr. Baldwin and Mr. Sumter came to me after the adjournment, and consulted with me how we could dismiss this bill so as to show our dissent from the report and yet do something for the Tripolitan ex-Bashaw, who, as all agree, has some claim upon our generosity. By agreement with them I agreed to call on Mr. Madison, who, from his knowledge of all the circumstances, might suggest something which we may adopt. I called on him accordingly this evening, and he appeared to be well pleased that something temporary, like what General Sumter has suggested, should be agreed to. He expressed himself with his usual caution, but with disapprobation of the report. Mr. Bayard this morning said to me that this affair of Hamet Bashaw had already taken up two or three days, which he should not have expected to take *so many minutes.* Mr. Plumer told me that he expected Mr. Tracy would come out very warmly in favor of the report; but he did not this day. He was a member of the committee.

3d. In Senate. Among the business transacted before twelve o'clock, Mr. Bradley moved for the printing of certain other papers on the subject of the bill in favor of Hamet Caramalli. General Sumter moved to recommit the bill. This was declared not in order, the bill not being then before the Senate. It was then determined that Bradley's motion to print should lie until the bill should be under consideration. A bill for regulating the salaries of the officers of the two Houses finally

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passed, the Senate receding from an amendment they had proposed for adding to the salary of one of their clerks. There had been a disagreement between the two Houses, and a committee of conference, which had reported that the Senate should recede from their amendment *so far* as to adopt a new modification of it, allowing one of the clerks of the House of Representatives a like addition of salary. The Senate had accepted the report of the committee of conference. The House disagreed to the proposed modification, and *adhered* to their disagreement to the amendment of the Senate. At *this* stage Bradley moved that the Senate should *insist* upon their *modification* and ask a second conference. It was a trick to prevent the passage of the bill; for after the House had *adhered*, they would not have agreed to any new conference, and the bill must have been lost. I therefore objected to Bradley's motion as not in order, and it was so decided by the Chair. Mr. Bayard moved to recede from the amendment to which the House had disagreed, by which the bill would be passed. Mr. Tracy then, without precisely declaring against Bayard's motion, stated an objection, that, by the inaccuracy of the wording of one section of the bill, if the Senate should ever grant a sum from the contingent fund to their chaplain it must be deducted from the salary of their serjeant-at-arms, or doorkeeper. The section was carelessly drawn, but there could be no danger of the construction Tracy argued upon. I replied to him with too much warmth and vehemence, of which he complained with justice, and on which he retorted with moderation. At the same time, he abandoned his objection. Bayard's motion prevailed, and the bill passed. That in favor of Hamet Caramalli was taken up. Mr. Sumter renewed his motion to recommit the bill *with the report* and documents, which was much opposed. A question was made whether a *report* could be committed—decided by the President that it could. The recommitment was agreed to by yeas and nays—fifteen to fourteen. A question then arose whether it should be to the same committee or a new one. It was finally referred to the same, with the addition of two new members—General Sumter and myself. S. Smith, who was on the former com-

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mittee, offered to excuse himself, being now President pro tem.; but Mr. Tracy, complaining that the *feelings* of the committee had been injured, urged Smith not to excuse himself. So that he agreed still to serve. Senate then adjourned. Mr. Bayard asked leave of absence for the remainder of the session, which was granted. He told me that a commission had been sent from New York to take his deposition respecting an agreement stipulated between him and Mr. Smith of Maryland in behalf of Mr. Jefferson when he was first elected. That such a stipulation was made. That Bayard had engaged the votes of three States, Delaware, New Jersey, and Maryland, to Mr. Jefferson on three conditions: 1. That the public debt should not be touched by any measure to impair the public faith. 2. That[1] And 3. That no *subordinate* officers should be removed merely on account of their political opinions. Mr. Jefferson positively pledged himself to these three things, and the votes of the three States were given him, and decided his election in consequence of it.[2] I went for a few minutes into the House of Representatives, where they were discussing a bill relative to post offices and post roads. Mr. Baldwin and Mr. Logan both requested me to let Mr. Smith publish in the National Intelligencer my day before yesterday's speech on the bill in favor of Hamet Caramalli —to which I agreed, if Smith should ask me for it. As it was altogether unprepared and unpremeditated, I have to take it down wholly from recollection, and accordingly began this evening.

5th. Attended the committee on the bill, report, documents, &c., concerning Hamet Caramalli. It soon appeared that by the recommitment, and by the old committee's having their

[1] Left blank, probably from absence of recollection at the moment, and never filled up. From other evidences, it is presumed that the preservation of the navy made the second condition.

[2] An additional piece of independent testimony to that which has already been collected touching this interesting historical question. That of Mr. Jefferson is given in the fourth volume of the edition of his works published by T. J. Randolph, p. 521. That of other parties, including Mr. Bayard, is in the second volume of Davis's Life of Aaron Burr, pp. 102–137. Even if the terms of this agreement had been acknowledged, they do not seem to imply any conditions for which the parties had reason to make excuse.

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majority, for which, contrary to all rule, Smith, now President pro tem., was continued on the committee, we should come to no result. I proposed that the committee should ask leave to withdraw the former *report* and present a bill making a mere temporary provision. To this the majority, being all the old committee, excepting Mr. Baldwin, would not consent. Wright was in one of his violent passions, and stormed—swore he would publish his speech, and the people should know how the matter stood. As to the documents, they were so long the people would not read them—but they would read his speech, and should have a clear idea of the whole matter. He was for having the whole subject discussed over again in Senate —all the documents published, and the whole world should see the true state of the case. If anybody wanted to take the blame from Lear's shoulders to lay it on the President's, he might do it; for, by ——, there was blame somewhere, and he was as good as *any* member of the administration. Smith of Maryland was willing and desirous to postpone the whole subject to the next session, to get rid of the discussion, leaving the report in *statu quo;* but to this we could not consent. We finally agreed to meet again on Tuesday (18th), and in the mean time I moved that the chairman should write to enquire of the Secretary of the Navy the amount of all the sums expended upon the connection with Hamet, from the beginning to this time; and to Commodore Barron, to enquire whether his *verbal* orders to Captain Hull were reduced to writing in his presence, as was suggested by S. Smith. The committee refused to make any enquiries of Barron whether his letters to Lear were written by Lear himself. Bradley said it was calling a man as witness to his own *sanity*. After the committee adjourned, I went into the House of Representatives, where they were wrangling on the *secret* subject. They soon adjourned.

6th. After dinner, I called upon Commodore Barron, to make some enquiries of him respecting his verbal instructions to Mr. Eaton and the transactions respecting the affairs of the squadron commanded by him. He told me that he never meant to give Eaton authority to make any convention what-

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ever with Hamet; that all his intention was that he should be brought to him at Syracuse. He showed me a letter written by Mr. Blake, an officer who went with Eaton, detailing a conversation which he heard between Eaton and Hamet within a fortnight before he made the convention, in which Eaton declared he had neither men, means, money, nor authority for that purpose. He showed me also many of the letters which are among our documents, and spoke very intelligibly on the subjects connected with the report of the Senate's committee, at which he expressed himself to be much concerned. His object in sending for Hamet, he told me, had been to have him at Syracuse, to ascertain there what his means and resources were, and then, upon consultation with all the commanders of the squadron, to have determined what engagements it would be proper to take with him. But when he found what Eaton had done by his letter of 13th and his convention of 23d February, he thought best so far to confirm what he could no longer prevent, as to agree to support him until he should get to Derne, and give him full warning that, after that, Hamet must maintain himself at his own risk and on his own strength. But when he got there he was as impotent as before—utterly unable to maintain himself a moment or to be of the smallest use to us. Captain James Barron, who was also there, confirmed much of this statement. I came home in the evening much fatigued, but wrote an hour or two before supper.

7th. Rainy morning, and I rode to the Capitol. Stopped at the Treasury office to make some enquiries respecting Mr. Eaton's accounts, which I find are still unsettled. But I could not get a sight of them, the Auditor not being at the office. In Senate, the Potomac Bridge bill, after a very slight and feeble discussion, passed to the third reading by yeas and nays—seventeen to eleven. General Smith of Maryland's navigation act was postponed to the next session, at his own desire. I always expected it would end in that. In executive business, the treaty with Tripoli was taken up, and Mr. Bradley's resolution to postpone the consideration of it until next session, and in the mean time enquire why Hamet's wife and children are not delivered up, was considered. He made a

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speech in support of his resolution—talked much about the honor and obligations of this country, then urged that it would be necessary to keep a force in the Mediterranean, and to continue the war with Tripoli, in order to justify keeping the force; and finally made the avowal that the two and a half per cent. additional duty, which by law must cease three months after the proclamation of peace, is wanted for other purposes, and is a further inducement to postpone. I answered him largely upon all these points, and urged an immediate decision. Hillhouse declared his intention to vote against the postponement, but spoke altogether in reply to me. Wright also replied to me. Adjourned without deciding. I went for a few minutes into the House of Representatives, and saw them take a vote on the question whether they should publish a *confidential* message of the President. They decided in the negative.

8th. Called again this morning at the Auditor's office, to see Mr. Eaton's accounts; but Mr. Harrison was not there. I requested that the accounts might be left with one of the clerks to-morrow morning. Met the committee on the bill in favor of Caramalli. All the members of the old committee but Wright are now extremely anxious to postpone the whole business until next session. Wright is for examining witnesses upon oath, and is in great rage, with the idea that his honor is affected by the course the thing is taking. He threatened again to publish all his speeches on this subject to the world. We adjourned until to-morrow morning, without a decision. In Senate, the Appropriation bill was considered in committee of the whole. Several others, of little weight, were disposed of. A resolution came from the House, to adjourn both Houses to the 16th of this month. In executive business, Bradley's resolution to postpone the Tripoli Treaty was again taken up, and, after a long and animated debate, rejected by yeas and nays—twenty to ten. Yet, from the complexion of the votes, I think it will end in that. The *Presidential* votes were for postponement. I mean by this, the men who get in whispers his secret wishes, and vote accordingly. Hence I conclude he intends the Treaty shall not be ratified. And the true reason is to avoid the discontinuance of the two and a half per cent. I

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pressed as much as possible upon Mr. Baldwin the necessity of the ratification, and he appeared to agree with me entirely. This evening I finished the copy of my first speech on this subject, which S. H. Smith requested of me yesterday. The speech and its publication must alike submit to their fate.

9th. I called again this morning at the Auditor's office, to examine the state of Mr. Eaton's accounts, and obtained part of the information I want. This, however, delayed me so that I could not attend the committee on the bill in favor of Hamet Caramalli. I got to the Capitol about twenty minutes after the hour at which the Senate meets, and found that the committee had taken advantage of my absence to report a postponement of the subject until the next session, which the Senate had agreed to. A bill to regulate the compensation of clerks passed after some discussion. The Columbia District Fee bill passed to a third reading, with some opposition from Mr. Anderson. The Appropriation bill also passed to the third reading.

10th. I called on Mr. J. C. Smith, chairman of the Committee of Claims, to enquire whether Mr. Eaton has a petition before them respecting the settlement of his accounts. He told me the committee had yesterday reported a resolution to place the settlement under the direction of the Secretary of State, which resolution was accepted and a bill ordered and brought in. I asked him why this was done. He said because the papers were so voluminous and the claim of such a nature that the committee had not time to examine them. I met Dr. Mitchell and Mr. Turner on a committee respecting certain jurisdiction granted to the Territorial Courts. We broke the subject, but came to no determination. In Senate, I moved a resolution to print the Treasurer's accounts, which passed. This has been uniformly done every year since the establishment of this Government, by the House of Representatives. But this year one of the economists objected, and they were not printed. This is economy—saving a cent by wasting an eagle. The Appropriation bill passed—and several others. The Non-Importation bill passed to the third reading. I was the only federalist who voted for it, in either House. The Potomac Bridge bill was made the order of the day for to-morrow. Mr. Bradley's

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resolutions for the honor and profit of William Eaton were postponed until the next session.

11th. Met Dr. Mitchell and Mr. Turner again on the committee concerning the Territorial Fee bill. Judge Woodward, of the Michigan Territory, for which the bill is specially provided, attended the committee, and on his representation an amendment was agreed upon, and reported. In Senate, Mr. Howard, of Boston, called on me respecting a bill drawn under the French Convention, of which he was desirous to obtain payment at the Treasury. He also enquired whether I had received letters from Mr. S. Smith, of Boston, with other bills of the same kind, and a power to receive the money. He appeared much surprised that I had not received such letters. I told him I presumed his bill would be paid at the Treasury without difficulty, and did not see him afterwards. Precisely at twelve the Potomac Bridge bill was taken up, and warmly debated until half-past four, when a question was taken by yeas and nays on postponing it to the next session, and carried—nineteen to ten.

12th. Precisely at twelve I moved to go upon executive business, and the Treaty with Tripoli was taken up. Mr. Bradley, who had obtained leave of absence after Monday next, went away last night. Mr. Wright's amendment, to make the ratification conditional on the delivery of Hamet's wife and children, was first debated, and rejected—twenty to nine. Mr. Smith of Ohio then moved a postponement to the first Tuesday in December next; and just at six o'clock P.M. the question on the ratification was taken and passed—twenty-one to eight. The debate was very warm, zealous, and vehement—General Sumter and myself in favor of the ratification; Messrs. Wright, Adair, White, Smith of Ohio, Tracy, and Pickering against it. The speeches of these gentlemen, excepting Smith and Tracy, were as much *at* me as to the questions in discussion; to Mr. Tracy and Mr. Pickering I made no reply. It was seven in the evening before I got home.

Spent the evening in examining the papers on the Mississippi Territory Land bill. I find by the New York Gazette that they have begun to attack me for my conduct respecting the

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Mediterranean affairs, and I was well aware of what it must and what it may draw upon me. Every thing on earth but a sense of duty dictated silence to *me* on this subject, if not acquiescence. I have acted upon inflexible principle, and am to take the consequences. As I was coming home from the Capitol, I overtook Mr. Howland, a Senator from Rhode Island—a man with whom I have never had any conversation before since we sat in Senate together. He said Bradley was very sick of his report, and other measures relative to the Mediterranean affairs. I asked Bradley's colleague, Smith (said Howland), how Bradley would have voted on this Treaty if he had remained here. Smith answered me, that he would not have voted at all, but would have *kicked out of his seat.* Howland further observed, that Mr. Wright was as good a General as Mr. Eaton; for whenever he rose to speak, he drove the members from their seats as victoriously as Eaton ever drove the Turks before him.

18th. The business in Senate was dispatched with so much rapidity that at three o'clock they adjourned for want of any thing to do. There was very little debate upon any thing, excepting upon my bill for the temporary relief of Hamet Caramalli, against part of which the committee-men and their friends took an alarm, and obtained an amendment striking it out. Mr. Pickering also moved to strike out the sum and give a larger one. But this did not succeed. The bill passed to a third reading. Some documents were received from the President respecting the state of our affairs with Tunis. Dr. Logan, who had moved the call for them, now moved that they should be printed. But, on objection to this, they were referred to a select committee.

19th. This morning the secret of Dr. Logan's call for the Tunisian papers was disclosed; but he had not well concerted his measures, and failed in his object. The Mediterranean fund, or two and a half per cent. additional duty, was by the terms of the law to cease three months after the ratification of the peace with Tripoli. This was the principal *real* obstacle to the ratification, but did not eventually prevail. We advised the ratification last Saturday. On Monday the President sent a

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message to Congress, stating that the Tunisian Ambassador had made inadmissible demands, with a threat of war in case of refusal; that they had been refused, and he was going home without withdrawing the threat. And this statement was made that Congress might consider the propriety of renewing the *provisions* of such an act—i.e., the Mediterranean fund. On the same Monday Mr. John Randolph in the House of Representatives offered a resolution, which passed almost unanimously, to *repeal* the duty on salt, and continue the two and a half per cent. until the end of the next session of Congress. A bill to this effect was passing through the House of Representatives, when Logan moved the call on the Executive, for the *cause* of the differences with Tunis, and the correspondence between the Tunisian Ambassador here and the Secretary of State. The motion was made in public, with open doors, and upon legislative business. Yesterday the papers came, and proved that Tunis was as insolent and overbearing in the negotiation as France had been; that the Secretary of State had assumed and maintained a tone of proper firmness, and terminated the negotiation by a peremptory denial of his peremptory demands. Logan was then for printing the papers; but some of his more cautious friends obtained a vote to have them referred to a select committee, with a view, as was urged, to select some of the papers which it might be improper to print, that the rest might be printed. But this day the chairman of the committee (Baldwin) to whom these papers had been publicly committed, after being publicly read, moved to go into the consideration of executive business, and, when the galleries were cleared, presented a report to recommend to the President to renew the negotiations with the Tunisian Ambassador, and to comply with all his demands—tribute, naval stores, and every indignity of humiliation. I instantly objected against receiving this report as on executive business—the committee having been appointed legislatively, and all the proceedings hitherto appearing on the public Journals: it was a violation of every rule and form of proceeding, and dangerous as a precedent. The project of acting as on executive business was then abandoned; the doors were opened, and immediately Baldwin moved to shut them again for business

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that required secrecy. This, by the rules, must be done of course, to discuss the propriety of acting secretly. But as soon as the doors were shut, I moved to open them again, on the ground that the discussion ought to be public. The President's message was public, and recommended firm and vigorous measures. The report of the committee which recommended tribute and submission ought not to be secret. I could not, however, obtain a vote to open the doors. For General Smith, our President pro tem., told us that he had seen the President this morning, who was astonished when he told him that the papers had been publicly read. He had thought the call for them was from the Senate acting executively, and therefore had not marked them confidential. He had indeed requested that they might be returned, on the ground that they were the originals, and there was not time to make out copies. But this has become his common practice with regard to important papers; he sends the originals with request of their return—so that no copy of them may be within the reach of members who might use them for purposes different from his own. We had therefore the discussion in secret. But the recommendation to crouch, and pay, and implore the pardon of Tunis, could not get a majority. That part of the report was stricken out by a small majority, on yeas and nays taken, and the resolve merely passed to *return the papers*. Dr. Logan, by whose want of management this whole project failed, left his seat with an air of more mortification and temper than I had ever seen in him before. The whole proceeding of public apparent vigor, and secret real pusillanimity, was an exact counterpart of the proceedings with respect to Spain. The issue, however, was different. This was the only business that occasioned much discussion in Senate this day. The remainder of the time was principally passed in dispatching the bills which crowd at the close of the session.

21st. I was to have met Mr. Turner and Mr. Tracy in committee on the Naval Peace Establishment bill at half-past nine this morning. But, waiting for a document from the Secretary of the Navy, we did not meet until the Senate were in session. Just before the Senate assembled I showed Mr. Tracy the two

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memorials, and told him I should present them; which he fully approved. The rule of the Senate requires that the member who presents a petition should give *verbally* a brief statement of its contents. Expecting that these memorials would raise a storm, I reduced to writing the statement of contents, and immediately on the Senate's coming to order, and after the Journal was read, I said, "Mr. President, I am requested to present to the Senate two memorials: one from Samuel G. Ogden, and the other from William S. Smith, stating that they are under a criminal prosecution for certain proceedings into which they were led by the circumstance that their purpose was fully known to and approved by the Executive Government of the United States; that on this prosecution they have been treated by the Judge of the District Court of the United States at New York, Matthias B. Talmadge, Esq., in such a manner that the same grand jury, which found the bills against them, made a presentment against the Judge himself for his conduct in taking the examination and deposition of the said Samuel G. Ogden. And the memorialists, considering Congress as the only power competent to relieve them, submit their case to the wisdom of Congress, and pray such relief as the laws and Constitution of this country and the wisdom and goodness of Congress may afford them." The President then put the question whether the memorials should be received, and the answer was unanimously in the affirmative. I then read both the memorials, one of which was long; and, after the reading was finished, I observed that these memorials having been transmitted to me with a request that I would present them, I had thought myself bound in duty so to do, but that, as one of the memorialists was nearly related to me, I did not think proper to propose any measure upon them, but should leave their disposal to the pleasure of the Senate. A warm debate immediately arose, and my precaution in reducing to writing my statement of the contents of the memorial soon appeared to have been a very useful one. Smith of Vermont, and Wright, the latter of whom was absent when I read the statement, and the former not having noticed that I had read it from a written paper, charged me with having misled the Senate to the reception by an incorrect statement of the

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contents. I soon silenced them on that point by an appeal to my written paper, and to the President, who repeatedly declared that I had been strictly in order. Wright, as usual, raved like a bedlamite, and, amidst a torrent of personalities, for which he was repeatedly called to order by the President and several other members, threatened once and again to move for my expulsion; but he could not inspire his own rage into any other bosom, though some other members would have been glad to censure me could they have found it possible. He first made a motion to *reject* the memorials; but that could not be obtained, it being without precedent, and inconsistent with the unanimous vote to receive them. Another motion was then made to reconsider the vote for receiving the memorials. But it was impossible to reconsider a vote already carried into effect. Dr. Mitchell moved that the memorialists should have leave to withdraw their memorials; but Wright could not be satisfied with that. He insisted upon rejecting the memorials, after repeated declarations from the Chair that it could not be done. Dr. Mitchell withdrew, and renewed, and altered, and renewed again his motion to suit Wright upon every return of his paroxysms. At last Wright produced a motion, for which Baldwin quoted a precedent in the other House, to return the memorials to the memorialists on account of highly exceptionable matter contained in them. But Dr. Mitchell's motion for simple leave to withdraw the memorials was before the Senate, and they would not give him leave to take it back. In order therefore to get at the question of *censure*, Wright moved to amend the motion of simple leave to withdraw by striking out the words "the memorialists have leave to withdraw their memorials," to insert "the memorials be returned to the memorialists." I then called for a division of the question, which was first taken on the striking out. The votes upon this question were eleven and eleven, besides the President pro tem., who declared *against* the striking out; and the question upon simple leave to withdraw the memorials was taken, and passed without opposition. Here the matter rested for that time; but the same memorials had been presented by Mr. Quincy to the House of Representatives, and had raised there a much more violent

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flame than in the Senate. There it resulted in votes of "return of the memorials," and of censure upon their being presented. Between three and four o'clock the Senate adjourned for an hour. By Mr. Pickering's invitation I went and dined with him at his lodgings. The Senate met again between four and five, and, from that time until about ten at night, had little else to do but to receive bills from the House, or the issue of disagreements between the two Houses. On the bills for the payment of witnesses upon S. Chase's impeachment, and for continuing the two and a half per cent. duty, being the Mediterranean fund, the House eventually receded and yielded to the Senate. On the Naval Peace Establishment bill the Senate receded. An attempt was made to grant money from the contingent fund to the chaplain, and door-keeper's boys, notwithstanding the law of this session and the new rule on the subject. This, however, failed. Mr. White and myself were appointed the committee on the part of the Senate to inform the President that Congress was ready to adjourn. It was almost ten at night when we were informed that the House had appointed the committee on their part. We went to meet them. They were Messrs. T. M. Randolph, Cutts, and Early. We had to wait about half an hour for the President to sign a number of bills. About a quarter after ten we went to the President, who was in the committee room. Mr. White, the chairman, informed him that, unless he had any further communications to make, the two Houses were about to adjourn. He answered that he had no further communications to make, and we returned. Mr. White made the report to the Senate, and the Clerk of the House came with the usual message that the House were about to adjourn.

While I was out on the committee, Mr. Wright had offered a resolution that every thing on the Journals relative to the memorials of Samuel G. Ogden and William S. Smith should be *expunged* therefrom. This motion was now taken up. I said that at this hour I should not enter into a discussion upon the propriety of the motion, but only ask for the yeas and nays. They were taken, and the vote to expunge passed—yeas thirteen, nays eight—only twenty-one members being present. Wright then called for the reading of the Journal; and when it

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came to the vote for expunging, insisted that this vote itself must not appear—that it must not be seen that such memorials had ever been presented. Many of the other expungers were equally strenuous for this total suppression. And Smith of Maryland, the President pro tem., in the most peremptory manner decided that the expunging vote should not appear. I then very shortly pointed out the danger of such a precedent, if a majority at any time could deface the records of the body. Mr. Pickering read the article of the Constitution requiring that Journals should be kept, and that the yeas and nays, when required by one-fifth, should be entered on the Journals. Mr. Tracy read a rule of the Senate that every *vote* of the Senate should be entered on the Journals. Wright still insisted that the expunging vote should not appear. The article of the Constitution, he said, referred only to the legislative proceedings of the Senate. Smith, however, the President pro tem., could not hold out with Wright. He first staggered, said he was in doubt, and wished the sense of the Senate on the subject; and finally came round completely, and declared that it could not be helped—the vote must stand. Wright still insisted. Smith again declared it must be so—the vote must appear upon the Journals; and it would be very proper that it should appear. Upon which Wright declared himself perfectly satisfied.[1] A motion then was made to adjourn without day. I suggested the propriety of passing the usual order, to inform the House that we were about to adjourn. But it was too late. While we were debating on the expunging vote, the House had adjourned. We therefore adjourned also, a few minutes before eleven. I rode part of the way home; and Mr. Baldwin was lamenting, with some others of the members, the irregularity of the expunging vote. His wish was that the Journals should have been *amended*, so as to read in a manner which would not have contained the statement of the contents of the memorials. It was about midnight when I got home.

[1] This struggle seems to have been in the nature of preparation for the longer and more vehement one, of a similar kind, carried on for many years in the other House of Congress, during the latest days of Mr. Adams. The attempt to obliterate the record served in this case, as it generally does, to fix attention to it, and thus to perpetuate the remembrance of the event.

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BOSTON, *May* 13th.—In the evening I attended a caucus of federalists at Faneuil Hall, who met to agree upon their list. Mr. H. G. Otis made them a very good speech. They agreed to choose twenty-seven Representatives, and adopted the names presented to them. Then a motion was made for five more, which, after some opposition, was adopted. These names were also agreed upon, though preparation had not properly been made for this measure. I came home at about ten. They were then about to dissolve the meeting. This was the first time I was ever present at a public caucus. I once attended a private one, in 1793 or 1794. It may be a necessary, but appears to me a clumsy, way of transacting such business.

June 12th. Between twelve and one o'clock I went to Cambridge. I was in a chaise alone, but met Mr. Barrett, of Quincy, and took him in with me. My father and the family at Quincy came into town, and went also to Cambridge before dinner. I dined with my father, Mr. Boylston, and Professor Ware, at President Webber's. In the afternoon I was installed as Boylston Professor of Rhetoric and Oratory. The hour fixed for the purpose was half-past three, but just at that time there arose a violent thunder-gust and shower, which delayed the performances about two hours. From the Philosophy chamber, where there was a meeting of the corporation and overseers, we went in procession to the meeting house, about five in the afternoon. The president began by an introductory prayer. Next followed an anthem. Then an address by the president, in Latin. Mr. Ware read the Regulations of the professorship. I read and subscribed the declaration, and delivered it to the governor as chairman of the overseers. The president then declared me a professor, and I delivered the discourse I had prepared for the occasion. It was well received; but the company present was very small. The business was concluded by a hymn sung. The procession returned to the Philosophy chamber, where I stopped only a few minutes. I took tea at Mrs. Ware's. Mr. and Mrs. Stoughton were there, as was Mr. Barrett—with him I returned to Boston, and passed the evening at Mr. Storer's. My father and mother were there; and Mr. Peabody came in while I was there. Mr. Strong was this day sworn as Governor

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of the State. Mr. Heath, who was chosen as Lieutenant-Governor, declined accepting the office.

16th. Went to Mr. Bussey's, in whose garden the gentlemen of the Philosophical Society met to take the observation of the solar eclipse. It commenced at three minutes twenty-one seconds past ten in the morning. At twenty-two minutes thirty-eight seconds past eleven the total obscurity commenced. At twenty-seven minutes nine seconds past eleven the first ray of the sun blazed out from behind the moon, and at forty-eight minutes one second past twelve the eclipse ended. The total obscuration continued more than four minutes and a half. The sky during the whole time was unusually clear, and not a speck of cloud was visible on the horizon. At the commencement of the eclipse the thermometer in the shade stood at 68. It fell gradually until the end of the total obscurity, when it stood at 57. There it remained stationary about a quarter of an hour—then began to rise, until at the end of the eclipse it was 67, and a few minutes after at 70. The fading of the sun's light, from its greatest splendor until its total extinction, was peculiar, differing much from that of the usual declining day on the approach of evening. Six or eight stars were visible during a considerable part of the time. The planet Venus, particularly, appeared as large and as bright in the darkness as it usually does in the evening. The colors of natural objects appeared to the eye with a tinge different from any thing I had ever seen, during the total concealment of the sun. The centre of the moon's disk appeared black as ebony; but the shade appeared gradually less black to the circumference, which was of a dusky brown. A feeble luminous circle, not equally light in every part, surrounded the edge of the moon, and beyond that circle a coruscation fainter and fainter shot forth in angular aspects extended to a distance equal to about the semi-diameter of the moon; the western side of the hemisphere, being that from which the moon advanced, was much darker than the eastward, on which part the sun's rays were last shut in, and during the whole time the borders of the horizon were very luminous throughout their extent. The darkness was about equal to that of half an hour after sunset at

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this season of the year—or much like the darkness of midnight which I have witnessed in June at St. Petersburg. About fifteen seconds before the first returning sunbeam, a line of deep crimson appeared on the moon's edge, on the limb where the sun was about to issue. But the most striking appearance was the first returning beam; it was about two seconds supportable to the naked eye, and in brightness far exceeded any thing I ever beheld. It was remarkable that, for two or three minutes before the sun's disappearance, it could be looked at without the shelter of a glass, though it was so immediately intolerable on its return. The effect of the momentary gloom was heightened by the contrasted splendor of the day, before and after. The cattle and poultry discovered the symptoms of night, and followed their usual habits on its approach. The swallows appeared surprised, and flew with that wild irregularity which is described as betokening the approach of an earthquake. The atmosphere had the chillness of night, but there was no fall of dew. Upon the whole, the phenomenon was principally curious on account of its uncommonness—having never occurred at this place since the settlement of the country, and being not to happen again for several centuries.

July 11th. I enter this day upon my fortieth year. And I this day commenced my course of lectures on Rhetoric and Oratory,—an undertaking of magnitude and importance, for the proper accomplishment of which I pray for patience and perseverance, and that favor from above, without which no human industry can avail, but which, without persevering industry, it is presumption to ask. I have devoted all the time which I can borrow from the necessary *business* of life for seven years, if so much of life is granted me, to this object. Of these seven years, one has already elapsed. My progress has been slow, and my own improvement, upon which is to depend much of the improvement of others, has been very small. Yet the beginning is now made, and its success is not without encouragement. My lecture was well received, and could I hope that the issue of the whole course would but bear a *proportion* to the effect of this introduction, I should be fully satisfied. Few persons except the scholars (the three senior classes) attended.

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WASHINGTON, *January* 13th, 1807.—The first debate we have had in the Senate this session, upon the bill to relieve George Little; which, however, passed the third reading by a considerable majority. I took part in this debate without being sufficiently prepared, and therefore with little effect. My deficiencies were amply supplied by Messrs. Bayard, Giles, Hillhouse, and S. Smith. The opposition was very feeble, from Messrs. Maclay, Worthington, and Smith of Vermont. We have symptoms of commencing business, and shall soon be much occupied.

14th. Met two committees—that on Mr. Clay's motion for adding another circuit to the United States Courts and appointing an additional judge of the Supreme Court, and that on the Columbia District Fee bill; on both committees we agreed to make a report.

15th. The Slave bill, which originated in Senate, was discussed in committee of the whole, and occasioned a long debate. Mr. Clay, the new member from Kentucky, made an ardent speech upon one of the sections. He is quite a young man—an orator—and a republican of the first fire.[1] I took, and intend to take, no part in the debates on this subject. I reported the Columbia District Fee bill, which passed to the second reading. Several other reports were made, and from this day I date the commencement of serious business in the Senate for the present session.

22d. Met the committee on the Internal Sedition bill—Messrs. Giles, Tracy, Stone, Mitchell, and myself—all present. We came to no final determination. Senate was engaged all day upon the Bridge bill, with an interval of half an hour to read a message from the President respecting Burr's conspiracy. Mr. Maclay and myself spoke in opposition to the bill—Mr. Clay in its favor. I think it will certainly pass. Senate adjourned without taking the question. I spoke about an hour; but the subject had been exhausted by Mr. Giles, and I could only present some of his ideas in new lights. I should have done

[1] Henry Clay, with whom the writer was destined to have many political relations in his subsequent career. Mr. Clay came into the Senate at this time only to fill the vacancy of a few months, occasioned by the resignation of General Adair.

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better to remain silent. My defects of elocution are incurable, and amidst so many better speakers, when the debates are to be reported, I never speak without mortification. The process of reasoning in my mind is too *slow* for uninterrupted articulation. My thoughts arise at first confused, and require *time* to shape into a succession of sentences. Hence the transition from thought to thought is awkward and inelegant, and expression often fails me to accomplish a sentence commenced; so that I often begin a thought with spirit and finish it with nonsense. The chain of my argument often escapes me, and when lost can seldom be retrieved. I then finish as I can, without producing half the arguments I proposed before I began to speak. These faults would be so overpowering that I should sink into perpetual silence, from mere impotence, were it not that sometimes in the ardor of debate, when my feelings are wound up to a high tone, elocution pours itself along with unusual rapidity, and I have passages which would not shame a good speaker: this is the only thing that makes me tolerable to others or to myself.

23d. On going to the Senate this morning, I was informed that Mr. Jonathan Mason, of Boston, who is here and who was present yesterday at the debate in Senate, had denied the accuracy of some of my statements, afterwards at dinner where Mr. Clay was present. I had no time to enquire further into this subject, for immediately on the meeting of the Senate Mr. Giles moved that the galleries should be cleared, and then a resolution for a committee to bring in a bill to suspend for a limited time the privilege of the writ of habeas corpus. Mr. Bayard made some objections to the measure, and finally moved an amendment to the resolution, directing the committee to enquire into the expediency of the suspension, with leave to report by bill or otherwise. Mr. Giles, after some discussion, consented that the question should be put in the form proposed by Mr. Bayard. It then passed without a division. The committee were appointed — Mr. Giles, Mr. Smith of Maryland, and myself. They had leave to sit immediately, and while Senate were in session. We examined some English books for precedents, but could not find any; the English statutes

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for this purpose being all temporary, and not included in the statutes at large. Mr. Giles drew a short bill, which the committee agreed immediately to report with a confidential message, which I drew, to send with the bill to the House of Representatives. The bill was, by unanimous consent, read three times, and, with amendments proposed by Mr. Bayard and Mr. Hillhouse, passed; Mr. Bayard only voting against it. But he candidly waived the privilege of preventing its being read three times on the same day. The message was agreed to, and Mr. Smith of Maryland appointed a committee to carry the bill and message to the House.[1] They, however, had adjourned. It was half-past four when the Senate adjourned over to Monday.

24th. I attended this morning on three committees at the Capitol—on the bill for the punishment of certain crimes against the United States, on the bill for surveying the coasts, and on the bill supplementary to that for the payment of the whole public debt. A report was agreed to for amendments to the second of these. The other two did not come to any decision. I called upon Mr. Pickering and Mr. S. Smith to enquire what Mr. Mason had said, to which they referred yesterday, and found it was little more than an expression of dissatisfaction at my speech, which he thought weak and in substance favorable to the side which I opposed. Mr. Giles brought me from the Capitol nearly home. I dined at Mr. Erskine's,[2] in company with ten or twelve members of Congress, all federals.

26th. As soon as the House of Representatives received the message from the Senate, with the bill suspending the privilege of the writ of habeas corpus, they immediately opened their doors, and after a short debate rejected it almost unanimously at the first reading. The bills for the relief of S. Harding, and for establishing an additional circuit to the Courts of the United States, passed the Senate. The debate on the bill to prohibit the importation of slaves was resumed, but seemed to

[1] Benton's Abridgment, vol. iii. p. 490. This proceeding was the result of Mr. Jefferson's message of the day before, touching the enterprise of Mr. Burr.

[2] Mr. D. M. Erskine, at this time Minister from Great Britain at Washington.

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have lost all its interest. The amendments which had been so warmly agitated were this day rejected, after very little said. No comment was made upon any other part of the bill, which passed to a third reading without a division.

27th. Attended this morning the committee on the Financiering bill. Mr. Gallatin, the Secretary of the Treasury, was there, who gave some explanations on particular sections of the bill. We agreed to report it without amendment. Mr. Gallatin informed us that a part of the third section of the bill passed the last session of Congress (chap. 50) was inserted by mistake on enrollment, and had been signed by the President as part of the law, though it had been an amendment first introduced by the Senate and finally receded from. In Senate they tried to produce a debate on some bill other than that for the Potomac Bridge, but could not. The Slave Prohibition bill passed without a division, and several others without debate. The Bridge bill was finally taken up. Mr. Thruston moved its postponement till next session, which occasioned a debate of three hours. Mr. Moore made a speech against postponement, which he concluded by saying he should vote for it. Adjourned a little before four o'clock, without taking the question. Mr. Bayard is yet to speak.

28th. After examining a long bill on the Committee of Engrossed Bills, I found, on entering the Senate, the debate on the Bridge bill opened by Mr. Smith of Vermont, who read several affidavits respecting the situation of the bridge at Cork, in Ireland, upon which he made a few observations. Mr. Bayard, in a speech of three hours, opposed the postponement and advocated the bridge. General Smith shortly answered some of his remarks, and he replied. It was past three o'clock, and Mr. Tracy asked for an adjournment, declaring his intention to speak upon the question. The Senate accordingly adjourned. Mr. Bayard's speech consisted altogether of answers to the objections made by General Smith, Mr. Giles, and myself. His fluency is inexhaustible. He speaks with so much ease, that he is never for an instant embarrassed himself, nor suffers his hearers to be embarrassed for him. His reasoning is clear, forcible, and overflowing with illustration. But he is some-

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times indiscreet, by hazarding insinuations which he cannot support, and his moral and political knowledge is not very profound. His style is plain to a degree of dryness.

29th. The question upon the postponement of the Potomac Bridge bill was finally taken this day after three o'clock, and carried by yeas and nays—seventeen to sixteen. Mr. Tracy made a handsome speech in favor of the postponement. Mr. Milledge, Mr. Bradley, and Mr. Clay spoke against it. After the adjournment I went into the Court house, and heard part of an argument by Mr. Jones, the District Attorney, on a motion for the commitment of the two State prisoners, Bollman and Swartwout.

Spent the evening at Mr. Erskine's; but it was late before we went. Miss Keene, a lady from Philadelphia, was there, with her sister, Mrs. Lenox, and entertained the company by her performance on the tambourine.

30th. The argument on the motion to commit Bollman and Swartwout was this day concluded by the Attorney General, Mr. Rodney, and they were committed as on a charge of high treason. The House of Representatives were not able to make a quorum, and adjourned without one. Many of the members were attending as spectators in the Court house. I did not think proper, however, to leave my duty in the Senate for that purpose. We passed two or three bills, and could not raise a debate until the Columbia District Fee bill came on, which was taken up as in committee of the whole, and, after much nibbling opposition from Mr. Bayard, Mr. Hillhouse, and Mr. Bradley (who was on the committee which reported the bill, and had there agreed to it), finally passed to the third reading. I moved a resolution for adding a new rule to the rules for conducting business in Senate, which lies for consideration.[1] Adjourned after three. Spent the evening in company at Mr. Madison's, principally at cards. Mr. Madison mentioned that the negotia-

[1] "The final question, upon the second reading of every bill, &c., originating in the Senate, and requiring three readings previous to its being passed, shall be, Whether it shall be engrossed and read a third time? And no amendment shall be received for discussion at the third reading of any bill, resolution, amendment, or motion, unless by unanimous consent of the members present."

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tions of our Ministers in England were suspended on a difficulty respecting the point of impressments.

31st. I attended at the Capitol on a committee, with Mr. Giles and Mr. Bayard, upon the President's last messages respecting Burr's conspiracy. Mr. Rodney, the Attorney-General, was there. We came to no final determination, but agreed in the opinion that Bollman and Swartwout cannot be tried *here*. Heavy rain all day. Mr. Giles took me home. He is as communicative as ever of opinions respecting persons, and expressed himself in terms of no great respect concerning the Vice-President, Mr. Clinton. He said that if his friends had sent him here with a view to push him on to the Presidency, they had been unlucky in the choice of their expedient. It was a *dangerous* experiment to send a man to Congress with views to such advancement, for in such conspicuous stations a man was apt to be seen through. He instanced particularly in the case of Mr. Thomas Pinckney, who was sent to Congress after being voted for as President, but was never voted for as President after being sent to Congress. Then they took up his brother, C. C. Pinckney; and if they had sent him to Congress they would soon have discovered that he was as ill qualified for the Presidency as Thomas. He also talked much of Burr, whose principles had always been suspicious to him. Wade Hampton and a Mr. Hunter, of South Carolina, whom he called a two-fisted Irishman, were, in his opinion, mere tools of Burr. He intimated that Burr had endeavored also to make him one of his instruments, but had failed. He spoke favorably of E. Livingston's talents, and told me of a project they had formed at the time of the British Treaty to *impeach* Mr. Jay. From the openness with which Giles talks of persons, and the freedom he takes with characters, I think he must have many inveterate enemies. I dined at General Turreau's with a company of about twenty members of Congress. Sitting at table next to Mr. Bayard, he gave me his opinion of Mr. Giles. It was that of a rival, and, I think, too acrimonious. He thinks him timid, vindictive, and unrestrained by principle.[1]

[1] These opinions are preserved not on account of any supposed correctness, but simply as indicative of the passions of the time.

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February 2d. Very little business done in Senate this day. My resolution for adopting a new rule for conducting business in Senate was referred to a select committee—Mr. Giles, Mr. Tracy, and myself. Several messages were received from the President, and, before twelve, a message from the House of Representatives communicating information of the death of General Levi Casey, a member of that House from South Carolina, and that the funeral was to be this day at one o'clock. The Senate immediately resolved to attend the funeral; and, according to custom in such cases, adjourned. By invitation of Mr. Giles, I took a seat with him in his carriage. Dr. Mitchell and Mr. Milledge also went with him. It was, however, past three before we left the Capitol, and about five when the procession reached the Georgetown Bridge. I there left them and came home. The Vice-President conversed much with me on the subject of Mr. Burr, of whom he spoke in terms of great indignation. Mr. Giles mentioned the transactions in Senate last session respecting Mr. Eaton with approbation.

3d. The committee on my proposed new rule were to have met this morning, but Mr. Giles was prevented from attending by the illness of a child. The Senate were engaged almost the whole day through with a bill to prevent unauthorized settlements on lands ceded to the United States; an anti-Yazoo project. The bill was finally recommitted to a select committee. I met Mr. Gilman and Mr. Tracy upon the bill for the relief of the Portsmouth sufferers by fire; and we agreed that it should be reported without amendment.

4th. On going to the Senate this morning, Dr. Mitchell introduced to me Mr. Wrifford, whom I had often seen at Cambridge last summer, and who is here with a view to introduce his method of teaching to write. I attended the committee on my proposed new rule, and Mr. Giles proposed an amendment,[1] to which I assented. It was reported, and the rule thus amended was adopted without a division. The Columbia Dis-

[1] This amendment reserved the right of moving the commitment of a bill at any time before its final passage, and acting upon any amendment that might be reported by the committee, as in the second stage, to its adoption.

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trict Fee bill was read the third time. Mr. Bradley still persisted in his opposition, but the bill passed by a large majority. Another bill also passed, and several others were partly considered. The new bill respecting the funds was taken up for consideration, and read through without remark. As the question was about to be taken, I asked for its postponement for the purpose of proposing an amendment. This motion was opposed by Mr. Giles and Mr. Bradley. I finally moved to adjourn; which motion succeeded. In executive business some nominations were approved.

5th. Attended the committee on the bill to punish counterfeiting bank-notes of the United States. Report not definitively agreed upon. The bill respecting the public funds passed to the third reading, notwithstanding some objections from Mr. Hillhouse. I offered a resolution for the appointment of a joint committee to enquire and report on the bill which was erroneously enrolled the last session—it lies for consideration. The reported resolution for granting lands to purchase stock in the Delaware and Chesapeake Canal Company was taken up, and advocated much at length by Mr. Bayard. Some opposition was made by Mr. Giles (who voted, however, for the resolution), by Mr. Baldwin, and by me. It was adopted by a large majority, and a committee appointed to bring in a bill. I this morning finished reading what is called Homer's Hymn to Apollo, and began the Hymn to Mercury. They are written in imitation of Homer's style; and several of his verses are introduced in them. But they have none of his majestic ideas, and none of his fertility of imagination. The Hymn to Apollo contains upwards of five hundred lines, and contains a history of that god's birth and some of his adventures—especially the establishment of his temple at Delphi. There are some graceful and elegant images in it, but neither the fire nor the profusion of thought remarkable in Homer.

6th. I had some difficulty in getting to and from the Capitol, owing to the violence of the wind and the severity of the cold. Both Houses were obliged to adjourn at an early hour, their windows having been blown in. The Senate, however, had gone through all the business before them. The new funding

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system act passed. The resolution I offered yesterday was, at the request of Mr. Bradley, referred to a select committee—Mr. Bradley, Mr. Giles, and myself. I spent the evening in my chamber; but the cold was so great that I wasted the time in idleness.

8th. I finished reading this morning Homer's Hymn to Hermes, and began that to Venus. The first gives an account of the god's birth, and how, on the same day he was born, he stole the oxen, or rather cows, of Apollo, and his ingenious device to hide them—the accusation of Apollo—his defence—the trial of the cause before Jupiter, who acquits Hermes—his subsequent avowal of the fact, and his compact of friendship with Apollo. His invention of the lyre from a tortoise-shell is also related; and how the office of messenger to the gods was finally given to him by Jupiter. Homer (or rather the author) makes him from the instant of his birth a most impudent thief and a most intrepid liar. It seems to be from the same hand as the Hymn to Apollo.

10th. The business in Senate is transacted with a degree of indifference and carelessness which I never witnessed in any public assembly before. Bill after bill passes without any remark, and even without explanation of its subject. The only appearance of a debate this day was upon a bill reported by Mr. Bayard, for selling land to the Delaware and Schuylkill Canal Company for shares in their stock. I objected to its passage to the second reading, as being a bill to raise revenue, but without any effect. Senate adjourned about two o'clock. I attended a short time in the Supreme Court, and afterwards called at the House of Representatives, where they were warmly debating the Slave bill which went from the Senate. A letter to the President from Cowles Mead, Secretary of the Mississippi Territory, was communicated by message to Congress. It was dated 13th January, and mentions a letter then just received from Mr. Burr—declaring a pacific purpose, but intimating a determination to *resist* if an attempt should be made to take him, and deprecating a *civil war.*

11th. In Senate. The bill to prevent settlements on lands ceded to the United States unless authorized by law, after an

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animated debate, passed by a bare majority—seventeen to fifteen. Several attempts were previously made for its commitment, for postponement, and for adjournment, which were all rejected by the same majority. I took little part in the debate; but specifically objected against the principle of forfeiting *title* to land for acts less than treason, the Constitution having expressly provided against such forfeiture for treason itself. Adjourned immediately after the question taken.

12th. The Vice-President this morning took me apart and advised me to ask leave to bring in a bill in behalf of the Yazoo claimants, like that which passed the Senate at the last session, to remove the effect of the bill passed yesterday. But I do not think it would answer any such purpose. I met General Smith and Mr. Bradley on the committee respecting a proposed additional Article of War. We came, however, to no decision. The bill for repealing the duties on salt, &c., was again postponed until Monday next. There was a very warm debate on an amendment to a bill establishing a sort of feudal militia in New Orleans, which was finally rejected after a forcible argument by Mr. Tracy.

13th. Met the committee on the bill respecting the District of Columbia, and agreed to report it without amendment; which was done, and it passed to the third reading. Mr. Bayard's bill for a grant of land to the Chesapeake and Delaware Canal Company was postponed until Monday, to which day the Senate adjourned at an early hour. I attended in the Supreme Court until their adjournment, but nothing of note was before them. They decided this morning to issue the writs of habeas corpus for Bollman and Swartwout, returnable on Monday. I afterwards went into the lobby of the House of Representatives, and heard Mr. Quincy on a debate respecting a resolution to fortify New York.

15th. Judge Livingston, Mr. Verplanck, and General Van Cortlandt spent the evening here. I finished this day the last fair copy of some stanzas entitled "A Winter's Day," containing in verse a very minute and exact account of my daily occupations.

Mr. Adams was throughout his life fond of relieving his

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grave pursuits by a resort to versification. In consequence he left quite a collection of poetical productions. No notion of his true character can be gathered without including some portion of these in the view. For this reason the stanzas here referred to, which were addressed to his wife, then at home in Massachusetts, on her birthday, are here introduced. He was at the time residing in the house of his wife's eldest sister, Mrs. Hellen.

A WINTER'S DAY.

TO LOUISA.

1.

Friend of my bosom! would'st thou know
How, far from thee, the days I spend,
And how the passing moments flow,
To this short, simple tale attend.
When first emerging from the East
The sunbeam flashes on my curtain,
I start from slumber's ties releas'd,
And make the weather's temper certain.

2.

Next on the closet's shelf I seek
My pocket Homer, and compel
The man of many wiles, in Greek
Again his fabled woes to tell.
How true he paints the scenes of life!
How sweet the poet's honest prattle!
Far sweeter than fierce Ilium's strife
And never-ending fields of battle.

3.

At nine, comes Moses to my door,
And down stairs summons *me* with ease,
But on my neighbor calls before,
And knocks, "Miss Kitty[1]—breakfast—please."

[1] A younger sister of Mrs. Adams, residing at the same house.

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Again he louder knocks and stronger,
Till Kitty answers, "Coming, Moses,"
And then, in half an hour, or longer,
Comes Kitty, just as breakfast closes.

4.

Then forth I sally for the day,
And, musing politics or rhyme,
Take to the Capitol my way,
To join in colloquy sublime.
There with the fathers of the land
I mix in sage deliberation,
And lend my feeble voice and hand
With equal laws to bless the nation.

5.

The labors of the Senate o'er,
Again, with solitary pace,
Down to Potomac's glassy floor
My morning footsteps I retrace,
And oft, dejected or elate
With painful or with pleased reflection,
In thought renew the day's debate,
And canvass votes by retrospection.

6.

At home I find the table spread,
And dinner's fragrant steams invite,
But first the twofold stairs I tread,
My atmospheric tale to write.
Then, seated round the social board,
We feast, till absent friends are toasted,
Though sometimes *my* delays afford
The beef or mutton *over-roasted.*

7.

In bounces Johnson from his school,
A dog's-eared Webster in his hand,
Repeats his daily studied *rule*,
And next his mother takes his stand.
With looks of pure maternal bliss,
Mamma says, "John, wilt have an apple?"
And on his cheek imprints a kiss,
A cheek which rose and lily dapple.

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8.

Soon little Mary too they bring,
And now we practise every wile,
And clap the hands, and laugh, and sing,
To catch that heaven, an infant's smile.
Meantime, an apple-paring whirl'd
Thrice round the head with mystic ditty,
And forthwith on the carpet hurl'd,
Foretells her future lord to Kitty.

9.

As eve approaches, I ascend,
And hours of solitude ensue:
To public papers I attend,
Or write, my bosom's friend, to you;
Gaze at the fire with vacant stare,
Suspended pen, and brow contracted,
Or, starting sudden from my chair,
The chamber pace, like one distracted.

10.

I see the partner of my soul,
I hear my darling children play;
Before me, fairy visions roll
And steal me from myself away.
Not long the dear delusions last,
Not long those lovely forms surround me;
Recover'd eyes too soon I cast,
And all is solitude around me.

11.

My heart a short depression feels,
And, throwing straight aside my pen,
I take the volume that reveals
Their duties and their hopes to men.
Yes! wherefore should I not confess
The book of sacred inspiration
Yields to my bosom in distress
Both fortitude and consolation?

12.

Anon, the supper's bread and cheese
Begins with grave and solemn face,
Till, silence yielding by degrees,
The festive spirit takes its place.

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Good humor comes, with waggish mien,
And shakes his sides with laughter hearty,
And satire's face is not unseen,
Reflected from the last night's party.

13.

At last, dispersing, we retire.
Again the glass's state I learn,
Then for the night compose my fire,
And to my lonely couch return.
There, for my wife, my boys, my friends,
Imploring blessings without number,
E'en while the vow to Heaven ascends,
My sense dissolves in peaceful slumber.

14.

Thus in succession pass my days,
While time with flagging pinion flies,
And still the promised hour delays
When thou shalt once more charm my eyes.
Louisa! thus remote from thee,
Still something to each joy is wanting,
While thy *affection* can to me
Make the most dreary scene enchanting.

Louisa's birthday, 12th February, 1807.

16th. The Vice-President did not attend in Senate this day, being indisposed, and having been up all night with his daughter, who is at the point of death. Senate adjourned immediately on the information from the Secretary that the Vice-President would not appear. I wrote to Mrs. Adams, enclosing the stanzas, and attended in the Supreme Court, where I heard part of an argument by Mr. C. Lee and by Mr. F. V. Key, in behalf of Swartwout and Bollman, upon the return to the writ of habeas corpus issued by this Court. I was obliged to leave the Court before the argument was closed, being engaged to dine with the President. The company consisted altogether of federal members of Congress. The President was less cheerful in his manners than usual, but told some of his customary staring[1] stories. Among the rest, he said that before he went from

[1] So in the text,—probably, by inadvertence, for "startling."

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Virginia to France he had some ripe pears sewed up in tow bags, and that when he returned six years afterwards he found them in a perfect state of preservation—self-candied.

17th. For the first time this session, I left the Senate for about an hour, to hear the argument on the case of Swartwout and Bollman. Mr. Jones, the District Attorney, was speaking; but I was called back to the bill concerning the District of Columbia, against which, at the third reading, Mr. Giles had made a sudden and unexpected attack. I defended it as well as I could, and with the aid of Messrs. Bradley and Tracy, who also were of the reporting committee, and of General Smith of Maryland, who also took a part in its favor, the bill passed, opposed by Mr. Giles alone, and without a division. The bill for repealing the salt duties and continuing the Mediterranean fund was taken up, and a speech made against it by Dr. Mitchell, which brought the hour of three, and the Senate adjourned.

19th. The Senate received this morning a message from the President, containing three important articles of intelligence. 1. A letter from the Ministers at London, announcing that they had agreed upon a Treaty with Great Britain, which would be signed in a few days. 2. A letter from Mr. Armstrong, enclosing his correspondence with the French Minister of Marine, respecting the decree to blockade the British Islands[1]—the Minister assuring Mr. Armstrong that the Treaty between France and the United States would be respected. And 3. A letter from Cowles Mead, Secretary and acting Governor of the Mississippi Territory, with information that Mr. Burr had surrendered himself, his men, and his boats.

We had some discussion on the Salt bill, and also on Mr. Bayard's bill for granting lands to the canal company. They were both finally postponed for further discussion to-morrow. The St. Domingo Trade bill was resumed, upon which I took some papers and documents respecting the fee-bills sent by the Senate to the House, which I delivered to Mr. Goldsborough, a member of the committee of the House to whom that bill is referred. I also spoke of it to Mr. Blount, another member of

[1] Better known as the Berlin Decree.

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the committee. In the House I heard a further debate on Mr. Broome's resolution. Mr. John Randolph spoke long, with his usual energy and bitterness. The debate was continued until I left the House, at almost five in the afternoon. I left Mr. Kelly speaking.

20th. The bill for repealing the salt duties and continuing the Mediterranean fund passed to the third reading as amended in Senate. We had some debate on a point of order, and the propriety of taking over again in Senate the same questions which have already been taken as in committee of the whole. It was the first instance since I have been in the Senate that this second taking of the question had been called for, and from its disuse the right was questioned. After about an hour of confused and indistinct discussion, a reference to Mr. Jefferson's Manual, and to the reasons upon which our forms of proceeding are founded, immediately settled the discussion, and the questions were again taken. At one taking of the yeas and nays, Mr. Clay was absent at the call of his name, but came into his seat before the call was finished. He asked and obtained leave to have his vote taken and recorded. The bill to continue the prohibition of the St. Domingo trade passed. A bill, among other things extending the right of suffrage to certain inhabitants of the Mississippi Territory, was taken up and warmly debated—being a subject in which Mr. Giles's Yazooism was roused. It was four o'clock before the Senate adjourned over to Monday, leaving this as unfinished business.

21st. I attended at the Capitol this day at twelve o'clock, to meet Mr. Giles and the other members of the committee on the bill from the House of Representatives for the punishment of certain crimes; but when there, Mr. Giles postponed the meeting of the committee until Monday, to obtain a copy of the Supreme Court's opinion in the cases of Swartwout and Bollman, who had been this morning discharged. Giles and Willis Alston were very much exasperated at this procedure of the Court. Alston talked of impeaching them all; and Giles threatened to lay a motion on the table for a declaratory amendment of the Constitution, taking away *all* jurisdiction of the Supreme Court in criminal cases. Adair and Ogden, who were

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sent to Baltimore, were liberated upon habeas corpus issued by Nicholson, a State judge.

23d. The bill for granting land to the Chesapeake and Delaware Canal Company, in exchange for their stock, employed almost the whole of this day. I moved that the bill, and an amendment proposed by General Smith of Maryland, should be postponed, for the purpose of considering a resolution directing the Secretary of the Treasury to report a general plan for internal improvements of this kind. On this motion Mr. Bayard made two long speeches, which took up the greater part of the day. I spoke about three-quarters of an hour, but met no support, except from General Smith, who, though opposed to the bill, yet finds himself bound to vote for it, because the particular interest of his State is concerned. The question upon my motion was lost by a vote of sixteen to twelve; but the question on the passage of the bill itself to a third reading was postponed until to-morrow. It was almost four when the Senate adjourned.

24th. The bill in favor of the canal company again employed almost the whole of this day. On its being taken up, I found the question would be taken without farther observation unless I renewed the attack; which I accordingly did, in a speech of about the same length as that I made yesterday. I replied to most of Mr. Bayard's arguments in his second speech of yesterday. There was some degree of weariness manifested when I began, but much more attention was given as I advanced, and the effect was manifest by the time I closed. Mr. Bradley told me in the lobby that I had broken them up. Mr. Moore, of Virginia, told me at the fireside that if I would now renew my motion for postponement until the next session he would vote for it. Mr. Smith of Tennessee said the same to Mr. Bradley. Mr. Worthington, of Ohio, staggered, and intimated doubts. Mr. White, Mr. Bayard, and Mr. Clay were all roused to reply to me, which they all did with some acrimony. But at length I obtained also some assistance. Mr. Hillhouse and Mr. Tracy both supported me; and, from two new grounds taken by Mr. Tracy against the bill, Mr. Pickering and Mr. Giles began to be doubtful, and to ask postponement until to-morrow; which,

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however, Mr. Bayard refused. I finally renewed the motion for postponement until the first Monday in December, without my resolution annexed, and carried the vote—sixteen to eleven. General Smith of Maryland continued arguing against the bill and promising to vote for it, and had actually removed one pretty strong objection I had raised, by offering an amendment, which Bayard was very glad to adopt, and which was carried by a very large majority. It was again four o'clock when we adjourned.

25th. My proposed resolution for the appointment of a joint committee of both Houses to enquire and report concerning the act of the last session was taken up, and rejected, after a debate, in which Mr. Bradley, Mr. Giles, Mr. Bayard, and General Smith of Maryland took part against me, while I stood altogether unsupported. At the question, Mr. Turner alone voted with me.[1] Immediately afterwards came on the bill making appropriations for the Capitol. The Senate's committee had reported an amendment increasing the appropriation for repairs upon the north wing, in which we sit, from $25,000 to $50,000. Against this amendment I objected, and a debate ensued, in consequence of which the amendment was finally rejected by a bare majority—thirteen to fourteen. The question was twice taken, for at the first counting the Vice-President mistook the numbers, declared a tie, fourteen to fourteen, and decided in favor of the amendment. I desired the question might again be put, for there were only twenty-seven members within the bar; and on counting again it was found the question was lost. The canal project for the rapids of the Ohio, since the fate of the bill granting lands to the Chesapeake and Delaware Canal, has been modified to a bill for the appointment of

[1] This question grew out of the communication made by Mr. Gallatin, Secretary of the Treasury, that a bill passed during the last session had been most erroneously enrolled. See the record of the 27th of January, page 447. On the 5th of February Mr. Adams submitted a proposal for a joint committee of enquiry, which motion was on the 8th referred to him, Mr. Bradley, and Mr. Giles to consider and report thereon. On the 18th the motion was reported back to the Senate amended, and on the 25th it was deemed best to let the matter alone. It was very probably not the first, nor is it likely to be the last, instance of the existence of an illegal law.

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commissioners to go and ascertain facts, upon which a bill was introduced this day and passed to the second reading. Mr. Worthington offered a resolution for directing the Secretary of the Treasury to report to the next Congress concerning internal improvements, predicated entirely upon my resolution which has not been acted upon, but much less comprehensive.

26th. The bill making appropriations for the Capitol was again resumed, and the questions on the amendments reported by the quasi committee were again taken. A question of order occurred—whether the question was again to be put, upon the amendments reported by the select committee, but rejected by the committee of the whole. The Vice-President did not choose to decide, but referred to the opinion of the Senate themselves. There was much diversity of opinion upon it. I contended that the question could only be put on the amendments *reported* by the committee of the whole, as their report only could be before the Senate. After some debate, it was agreed to waive the decision on the point of order, and to take the question only on the amendments reported by the quasi committee; and the amendment there rejected, to increase the appropriation for the north wing, was moved again upon the bill as in Senate by Mr. Bradley. After debate, it was again rejected by a bare majority—fourteen to fifteen. The bill for appointing commissioners to survey the site for a canal at the rapids of the Ohio passed to the third reading by a large majority, after some opposition. Adjourned about four o'clock. Mr. Worthington had offered a second resolution to direct the Secretary of the Treasury to report at the next session on the practicability of making a turnpike road from the north-eastern to the south-western extremity of the Union. It lies for consideration. After the adjournment I told him that the resolution I offered two or three days since appeared to me to include the substance of both his, and more. Upon my showing it to him he said he was pleased with it, and thought it might be so modified as to supersede the necessity of his two. I left it with him for that purpose.

27th. Met Mr. Giles and General Smith of Maryland on the four per cent. annuity bill, and agreed to report a postponement

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until the next session—which report was made, and adopted by the Senate without debate or division. I forgot to mention yesterday that the bill for repealing the salt duties and continuing the Mediterranean fund was lost by the adherence of the House to their bill, and of the Senate to their amendments, without a conference. This day there was a motion in the House of Representatives to recommit the General Appropriation bill, for the purpose of adding to it three new sections, being the same as the whole bill thus lost. This motion was, however, rejected. Another motion was then made, and finally obtained, for a committee to bring in a bill to the same effect as that which was lost. The House sat until seven in the evening, and finally adjourned for want of a quorum. In Senate, a bill for the relief of Stephen Sayre was debated at the third reading, and finally recommitted for amendment. The Ohio Canal bill passed, and the yeas and nays were taken upon it at my request. They were eighteen and eight. It had obviously been settled out of doors.

28th. Met Dr. Mitchell and Mr. Dana, of the Library committee, in the library. Mr. Baldwin and Mr. T. M. Randolph are both unwell, and were not able to attend. Mr. J. Clay is absent, and, being appointed cashier of a new bank at Philadelphia, will probably resign his seat in Congress. We could not form a majority of the committee; but directed an order to be drawn on the Treasurer for the amount of the annual appropriation, and agreed to meet again Monday morning. A bill respecting the Louisiana Land titles was debated, with various amendments reported by a committee; all of which were eventually rejected, and the bill passed to the third reading, with a single amendment of a clerical error, which had crept into the bill as it came from the House of Representatives engrossed. About four o'clock Mr. Turner, of North Carolina, moved that when the Senate should adjourn, it might be to meet to-morrow (Sunday); which being objected to, he said that his only reason for making the motion was that he expected a bill would be sent from the House of Representatives repealing the salt duties and continuing the Mediterranean fund, and, unless the Senate should meet to-morrow, it would

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be in the power of any one member to prevent the passage of the bill, by objecting against its being read more than once in the same day. After some debate, it was agreed to meet again at seven o'clock this evening, instead of to-morrow. By invitation of Mr. Pickering and Mr. Tracy I went and dined with them. At seven in the evening we met again, and did little more than make a quorum. We sat until about nine o'clock. The House also met at seven, and soon took up their Salt bill, but there was no prospect of their passing it before midnight. After several motions in Senate to adjourn had failed, Mr. Maclay renewed the motion for sitting to-morrow; which was debated with some earnestness; but on a call for the yeas and nays the motion was abandoned, and the Senate adjourned until Monday morning.

It rained so heavily that I could not walk home, nor could I procure a hackney coach, either at the Capitol or at Stelle's Hotel. I went into the House of Representatives, where I found them debating upon the Salt bill. Mr. Wheaton, their serjeant at-arms, offered to give me a seat in his carriage home if I would wait until their adjournment. They sat until half-past one in the morning—Mr. J. Randolph continually making motions, and calling for the yeas and nays, until he could not obtain one-fifth of the members to support him in asking for them. When the question upon the passage of the bill came to be taken, there was not a quorum within the bar. Several fruitless attempts were made to call in absent members. At length, after counting the members several times, the Speaker appointed Mr. Blount and Mr. Masters (one of each side, as he said) as tellers; and they returned seventy-one members, which, with the Speaker, made a quorum, and the bill was passed. They then adjourned. I rode home with Mr. Wheaton and Mr. Cutts,[1] who both said there was not actually a quorum when the question was taken. It was about two in the morning when I got home.

March 2d. We have been unable to collect a majority of the

[1] Richard Cutts was a member from Massachusetts, then including Maine. He married a sister of Mrs. Madison, and subsequently held office for many years at Washington.

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Library committee, but, by obtaining the signature of Mr. T. M. Randolph, have succeeded in procuring the amount of the annual appropriation, and an order upon Mr. Nourse for one-third of the sum to Dr. Mitchell, Mr. Clay, and myself, severally. The Senate sat from eleven this morning until five, then adjourned until seven, and sat again until past ten at night. The Salt and Mediterranean Fund bill was brought from the House of Representatives, and passed to a second reading, which Mr. Turner moved should be done this day. Several members objected, and Mr. Turner gave notice that he should to-morrow offer a resolution to suspend that part of the twelfth rule which forbids two readings on one day without unanimous consent. A bill for settling the accounts of William Eaton passed to the third reading; opposed by Mr. Giles, Mr. Sumter, and myself, and supported by Mr. Bayard, Mr. Clay, and Mr. Bradley. It was a transaction which I so strongly disapproved that I had resolved to expose the nature of the claims which are thus to be passed; but Mr. Giles this day, after the question was taken, told me the business was settled *out of doors*. A great number of other bills were acted upon this day; but none which occasioned any debate.

3d. The Salt and Mediterranean Fund bill employed the greatest part of this day. After being debated at the second and passing to the third reading, Mr. Turner moved that it should be read the third time this day; to which I objected. He then brought forward his resolution to suspend part of the twelfth rule, which, after long debate and various modifications, was carried. The bill was then read a third time and passed. The bill to settle Eaton's accounts also passed—sixteen to twelve. The Senate sat until past five P.M., then adjourned to seven, and sat again until almost midnight. About ten o'clock the joint committee of the two Houses, Dr. Mitchell and myself from the Senate, Mr. Varnum, Mr. Alston, and Mr. Gregg from the House, were sent with the usual notification of the recess to the President. He was not, as usual at the closing of the sessions, in the committee room at the Capitol, being detained by indisposition at his own house. The joint committee, excepting Mr. Gregg, went in a carriage together, and

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carried eight or ten bills for his signature. After he had done this, he said he had expected to receive this evening the Treaty lately signed by our Ministers with the Commissioners of Great Britain, at London; but it had not arrived. He had, however, seen a copy received this afternoon by Mr. Erskine, which he had been so obliging as to lend him. Dr. Mitchell said we had been requested by several members of the Senate, who had heard of this copy received by Mr. Erskine, to enquire whether there would probably be a call of the Senate at an early day to consider the Treaty; as some of them would, in that case, prefer to remain here. The President replied, in emphatic tone, "Certainly not." He then added, that there were two things, either of which would prevent him from troubling the Senate with the consideration of this Treaty. The one was, that it contained no satisfactory article respecting the impressment of men from our ships—not even what they had offered at a previous stage of the negotiation; and the other was a declaration delivered by the British Commissioners at the time when the Treaty was signed, purporting that the King reserved the right of retaliating against the decree of the French Emperor of 21st November last; unless the United States should resist it. This, the President said, would involve us in the war, and compel us to make a common cause with Great Britain; and the only way he could account for our Ministers' having signed such a Treaty, with such circumstances, was by supposing that in the first panic of the French Imperial decree they had concluded a war would be inevitable, and that we must make a common cause with England. He should, however, continue amicable negotiations with England, and continue the suspension of the Non-Importation Act; and instructions had been sent in January to our Ministers, which he supposed they had by this time received, to give notice, even if they should have signed the Treaty without the article to protect our seamen from impressment, that it should not be ratified, and to renew the negotiation.

BOSTON, *April* 5th.—Mr. Dexter called upon me this afternoon. I attended the federal meeting at Faneuil Hall this evening. The hall was nearly as full as it could hold. Mr. Quincy was speaking when I went in. Mr. Otis and Mr. Gore

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succeeded him. But there was no diversity of opinion. The vote was put for supporting Mr. Strong as Governor at the election to-morrow, and Mr. Robbins as Lieutenant Governor, with the last year's list of Senators. They were all unanimously carried. Walking home with Mr. Dexter, I was remarking upon the questionable nature of this party organization, and its tendency under our Constitution. It is perhaps unavoidable, but it is not altogether reconcilable to the freedom of the elective principle.

6th. I had been placed at the head of the list of one hundred and twenty distributors of votes, and it was agreed to meet this morning at the Marine Insurance Office, where they were to be prepared as we found them. The poll opened at nine o'clock, and closed at two afternoon. The number of votes, upwards of three thousand for Mr. Strong, and of two thousand for Mr. Sullivan—a greater number on both sides than were ever before given, by nearly one thousand votes in the whole. While on the ground, I conversed with Judge Davis and Mr. Jackson, members of the college corporation; with Mr. Whitman, Mr. Morse and Mr. English, and Mr. Parkman, who have sons at college; endeavoring to produce a settlement of the difficulties between the government of college and the students.[1] I also conversed with Mr. Parkman's son, and endeavored to persuade him to take the only course proper in this case—a compliance with the requisitions of the corporation.

May 11th. Walk in the evening with George[2] over Beacon Hill; saw the numerous new houses on the north side of the hill, which have quite metamorphosed the appearance of that part of the town. There was an initial caucus at Vila's this evening, to which I was invited, but which I did not attend. It respected the choice of Representatives for this town. About ten this evening there came to me a committee of three members—Mr. J. Phillips, Mr. Bell, and Mr. Sumner—to request

[1] This was one of a series of conflicts which from time to time disturbed the progress of this university down to the year 1834. Since then much less insubordination has manifested itself, a change perhaps due in part to the fact that the students are generally older and are treated more like responsible men than boys.

[2] His eldest son, then six years old.

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me to attend the general caucus to-morrow evening, and *make a speech;* which I very explicitly declined. And I frankly told them I never had made a speech at caucus or at town meeting, and did not think I ever should. For the present, a sufficient excuse for me was, that I had been so shortly an inhabitant of the town as scarcely to be qualified to vote; but, to prevent any future applications of the same kind, which, coming from my friends, it would always be painful to refuse, I thought it best to give an answer, once for all. They desired me to think further of it, which I agreed to do, but told them I did not expect further reflection would change my determination.

June 30th. The principal part of this day I was employed upon my lecture, and repaired the deficiency of yesterday's writing. I was, however, at the offices about noon, and first heard of an occurrence of a very gloomy complexion—a new outrage from a British armed ship, and the disgrace of one of our own frigates.[1]

July 9th. I had this day a debate somewhat warm with Mr. John Lowell at the Suffolk Insurance Office.

10th. A meeting of the citizens of Boston and the neighboring towns had been called to meet at the State House to consider the late outrageous attack of the British ship "Leopard" upon our frigate "Chesapeake," and to adopt resolutions concerning it. I had been desirous of a regular *town meeting*, but this was utterly discouraged by the federalists, and the other party were afraid of calling it. The meeting was not numerous, and consisted almost entirely of friends to the present administration. Mr. Morton urged me to act as moderator, but I declined. Mr. Gerry at length arrived, and was chosen chairman, Mr. Morton secretary. A committee of seven was immediately chosen to draft resolutions and report them to the meeting—B. Bidwell, Dr. Jarvis, B. Austin, G. Blake, T. J. Skinner, P. Morton, and myself. We went into the Senate chamber. G. Blake had got his resolutions all

[1] This was the affair of the Chesapeake frigate, which, on putting to sea from Hampton Roads, was fired upon, boarded, and had men taken by force out of her by the commander of the British frigate Leopard, an outrage that contributed largely to bring on the war some years afterwards, and essentially changed the political relations of the writer.

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drawn, and the committee had obviously discussed them before. I objected to one of the resolutions, which was immediately given up. Objections were also made to a long preamble which Blake had drawn, and which was also abandoned. A shorter preamble was also agreed to, drawn by B. Austin. We then unanimously reported the resolutions, which were unanimously adopted; and the meeting adjourned in perfect order.

11th. I was at the Insurance Offices before dinner. J. Phillips told me I should *have my head taken off* for apostasy by the federalists. I have indeed expected to displease them, but could not help it. My sense of duty shall never yield to the pleasure of a party. I am this day forty years of age; and when I reflect how much in the course of that period I have received in blessings from Heaven, and how little I have returned in benefit to the world, I can neither look back nor forward with any satisfaction.

16th. There was a town meeting[1] this morning at ten, to receive and act upon a communication received from the committee of correspondence at Norfolk. Mr. J. C. Jones was chosen moderator. I was appointed with Mr. H. G. Otis, Mr. Gore, Dr. Jarvis, Colonel T. H. Perkins, Mr. Mason, Dr. Eustis, Mr. Jones, and Dr. Warren, a committee to draft resolutions on the occasion. Mr. Mason had four resolutions drawn up, which were adopted unanimously with some amendments. Mr. Otis offered a fifth, to act as a call upon the Government for the protection of a naval force. This, however, was objected to by Dr. Jarvis and myself, and was withdrawn by Mr. Otis. The resolutions were then reported, and unanimously accepted by the town, and the meeting dissolved.

WASHINGTON,[2] *October* 26th.—I found the Senate assembled; twenty-four members present. The Vice-President in the chair. They had just balloted for the members of a committee to

[1] The popular indignation had become so strong in this case, that the hesitation of the leading federalists to express it was found to be seriously impairing the party influence. Hence the change of policy and the call for the town meeting.

[2] The difficulties by which the administration was beset by the failure of the negotiations with Great Britain, and the unfortunate collision in Chesapeake Bay, led to the assembly of Congress more than a month sooner than usual, by special call of the President.

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inform the President that the two Houses were assembled and ready to receive his communications. Mr. Anderson had a motion on the table for consideration. The usual orders at the commencement of the session were passed, and the Senate might have adjourned about one o'clock; but the House of Representatives being unusually delayed in their organization, and it being thought necessary to wait for the formal communication from them, the Vice-President left the chair for a couple of hours, during which I went into the House. They were assembled in their new apartment in the south wing of the Capitol. It is very elegant, but apparently very ill adapted to the purpose of debate. When I went in, they were balloting for a Clerk. General Varnum was in the chair as Speaker, and had been elected at the first ballot without much competition—Mr. Macon, the former Speaker, and Mr. Nicholas, who was also expected to stand as a candidate, being both absent. The candidates for the office of Clerk were one Van Zandt, heretofore a subaltern in the late Clerk Beckley's office; Patrick Magruder, a member of the last Congress, from Maryland; James Elliott, a member of the present Congress, from Vermont; one King, and some scattering votes. There had been several ballots and no majority. At the second ballot after I went in, Van Zandt had fifty-two votes. Fifty-nine would have given him the majority and the place. It was certain for him at the next ballot—when Mr. John Randolph rose, and, with a proper preface of apology, charged Van Zandt with having listened at the door, the session before last, while the House were in conclave, and divulged the speeches of members, made under the injunction and upon the trust of secrecy. Van Zandt, who was present, applied in writing to the Speaker for permission to be heard in his defence at the bar of the House, but was not indulged. Several motions were made to adjourn, to postpone the choice of Clerk until to-morrow, but without success. The balloting was renewed. Van Zandt's votes at the next ballot sunk from fifty-two to sixteen, and the next time Magruder was chosen. Until the attack upon his competitor, he had at no ballot received more than thirty-six votes: so that Mr. Randolph in substance made the Clerk. The members

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were then sworn, and the usual orders of communication passed. I returned to the Senate chamber, where, after receiving the message from the House, we immediately adjourned. It was near four o'clock.

30th. I employed the whole evening in looking over the Journals of the Senate since I have been one of its members. In the numerous traces of my own conduct there I remark materials for serious reflection. Of the very little business which I have commenced during the four sessions, at least three-fourths has failed, with circumstances of peculiar mortification. The very few instances in which I have succeeded have been always after an opposition of great obstinacy, often ludicrously contrasting with the insignificance of the object in pursuit. More than one instance has occurred where the same thing which I have assiduously labored in vain to effect has been afterwards accomplished by others without the least resistance; more than one where the pleasure of disappointing me has seemed to me the prominent principle of decision. Of the preparatory business matured in committees, I have had a share, gradually increasing through the four sessions, but always as a subordinate member. The merely laborious duties have been readily assigned to me, and as readily undertaken and discharged. My success has been more frequent in opposition than in carrying any proposition of my own, and I hope I have been instrumental in arresting many unadvised purposes and projects. Though as to the general policy of the country I have been uniformly in a small and constantly decreasing minority, my opinions and votes have been much oftener in unison with the administration than with their opponents; and I have met with at least as much opposition from my party friends as from their adversaries—I believe more. I know not that I have made any personal enemies now in Senate, nor can I flatter myself with having acquired any personal friends. There have been hitherto two, Mr. Tracy and Mr. Plumer, upon whom I could rely; but it has pleased Providence to remove one of them by death, and the changes of political party have removed the other. With the warmest wish to render real service to the public according to the measure of

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my ability, the path which prudence prescribes to me under the circumstances of the time is to undertake little, and content myself with the regular attendance which is the duty of every member, and to restrain rather than indulge the propensities to debate.

November 3d. Nothing done in Senate. I am tired of this continued state of nihility at the commencement of a session, and will attempt something further to rescue the Senate from it. It will, however, be necessary to proceed with caution. I went into the House, where they were doing as little as nothing, and soon adjourned. Dined at the President's, with a company consisting chiefly of members of Congress—Messrs. Mitchell, Van Cortlandt, Verplanck, Van Allen, Johnson, Key, Magruder, Taylor, Calhoun, Butler, Thompson, and Eppes. I mentioned to Mr. Jefferson that the publishing committee had a letter from him to the Earl of Buchan, sent by him to the Massachusetts Historical Society with a view to its publication. But the committee thought it most consistent at least with delicacy to ascertain whether the publication would be not disagreeable to him. He asked whether it did not contain some free sentiments respecting the British Government. I told him it did. He then desired that it might not be published, *at least while he remained in public office;* and said he could not conceive why Lord Buchan could have sent it for publication, unless it were because it contained some compliments to himself. At dinner there was much amusing conversation between him and Dr. Mitchell, though altogether desultory. There was, as usual, a dissertation upon wines; not very edifying. Mr. Jefferson said that the *Epicurean* philosophy came nearest to the truth, in his opinion, of any ancient system of philosophy, but that it had been misunderstood and misrepresented. He wished the work of Gassendi concerning it had been translated. It was the only accurate account of it extant. I mentioned Lucretius. He said that was only a part—only the *natural* philosophy. But the *moral* philosophy was only to be found in Gassendi. Dr. Mitchell mentioned Mr. Fulton's steamboat as an invention of great importance. To which Mr. Jefferson, assenting, added, "and I think his torpedoes a valuable invention too." He then enlarged upon the

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certainty of their effect, and adverted to some of the obvious objections against them, which he contended were not conclusive. Dr. Mitchell's conversation was very various, of chemistry, of geography, and of natural philosophy; of oils, grasses, beasts, birds, petrifactions, and incrustations; Pike and Humboldt, Lewis and Barlow, and a long train of et cetera—for the Doctor knows a little of every thing, and is communicative of what he knows—which makes me delight in his company. Mr. Jefferson said that he had always been extremely fond of agriculture, and knew nothing about it, but the person who united with other science the greatest agricultural knowledge of any man he knew was Mr. Madison. He was the best farmer in the world. On the whole, it was one of the *agreeable* dinners I have had at Mr. Jefferson's.

4th. Mr. Anderson's resolution for a committee concerning Tennessee lands, and my resolution for a new rule to have a standing committee of contingent expenses, were adopted, and the committees appointed. A committee to examine engrossed bills, &c., according to the twenty-second rule, was likewise appointed. Mr. Bradley offered a resolution for a committee to enquire and report on measures for preserving peace in the ports and harbors. It is the act of 3d of March, 1805, which expires at the close of the present session; it lies for consideration. The committee of five on the President's message met after the adjournment, and had some conversation upon the general subject, without coming to any result.

5th. Several important resolutions were offered in Senate this day, and lie for consideration—among the rest, for an amendment to the Constitution, by which judicial offices shall be held only for a term of years, and the Judges be removable on a joint address of the two branches of the Legislature.[1] Mr. White's resolution for the extinguishment of the State balances was referred to a committee. Dr. Mitchell proposed a committee to revise the criminal law respecting enterprises against the public peace. After some consideration and amendment, the motion was received for consideration.

[1] This was moved by Edward Tiffin, Senator from Ohio. Although elected for the full term of six years, he served only during this and the next year.

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After the adjournment I went into the House; found them debating a motion of Mr. Quincy for instruction to a certain committee to enquire into the attack upon the Chesapeake frigate. It was lost by the yeas and nays, on the ground that the subject was referred already, and that the committee were upon the enquiry.

9th. Mr. Bradley's resolution respecting the act for the preservation of peace in the ports and harbors was adopted, and referred to the committee of five on the part of the President's message relative to the same subject; to which committee, upon my motion, two new members were added, Mr. Bradley and Mr. Sumter. No other business was done. After the adjournment I went into the House of Representatives, and heard a debate on the Naval Appropriation bill. I spent the evening in looking over the Treaties, and examining the articles respecting the admission of armed ships into our ports and harbors. I drew the sketch of an article to present for consideration of the committee, adopting the principle of exclusion.

10th. Called at the Secretary of State's office this morning, and borrowed the English translation of Martens's Summary. In Senate there was a short debate on the commitment of Dr. Mitchell's resolution concerning the laws respecting insurrections. It was indefinitely postponed. After the adjournment, the committee on the message met. But Mr. Smith of Maryland and Mr. Anderson were absent. I offered my section, and it was discussed at some length, without, however, coming to a conclusion.

I heard another speech of Mr. Randolph in the House of Representatives on the Naval Appropriation bill—and the question by yeas and nays on the bill, one hundred and twenty-four to two. Evening again employed in examining Treaties, and Vattel.

11th. A confidential communication was received in Senate this morning from the President,[1] containing a letter from Mr. Davis, the Consul at Tripoli, relating to the execution of the article in the Treaty with that State which stipulates for the

[1] This message relates to the singular transactions in Tripoli, and may be found in the second volume of the Executive Journal of the Senate, printed in 1828, page 58.

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restoration of the ex-Bashaw's wife and children. It manifests, if the facts be correctly stated, a singular duplicity on the part of Mr. Lear, by whom it was negotiated. It lies for consideration. The bill for further naval appropriations was sent from the House of Representatives. After the adjournment I went in there. They were debating on the Potomac Bridge bill, in committee of the whole. I heard Mr. Key and Mr. Nelson against it. The House then adjourned.

12th. The further Naval Appropriation bill was at the second reading committed, as were several executive nominations to office, and also the confidential communication sent yesterday from the President. This was committed at the motion of Mr. Bradley, who circulated among the friends to his opinions on this affair a *ticket* to be voted for as members of this committee. It was partly, but not entirely, successful.[1]

13th. Scarcely any thing was done this day in Senate. After the adjournment I met, with Mr. Anderson and Mr. Gilman, upon the committee of the Naval Appropriation bill. We considered the principles involved in it, compared the sums appropriated with the estimates, and agreed upon some questions to be addressed by the chairman to the Secretary of the Navy. To meet again Monday morning at ten. I afterwards went and heard a further debate in the House, on the report of the committee of elections on the case of W. McCreary. The question was still left undecided. I dined at Mr. Madison's, with a company consisting principally of heads of departments—Vice-President (Clinton), Speaker (Varnum), Secretary of the Treasury (Gallatin), of War (Dearborn), of the Navy (R. Smith), Attorney-General (Rodney), Postmaster-General (Granger), and Treasurer (Tucker), with Mr. Foster, the English Secretary of Legation, Mr. Barlow, Captain Murray, Captain Hull, a Captain Baker, and one or two other naval officers, Mr. Gilman, of the Senate, and Mr. Chandler, of the House of Representatives. Mrs. Madison was not present, having very recently lost her mother; and Mr. Graham, the present Under-Secretary of State, sat at the foot of the table.

[1] The committee consisted of Messrs. Bradley, Adams, Anderson, Sumter, and White.

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14th. In the evening I received a letter from Governor Sullivan. From the intelligence this day received from Europe, the opinion I have entertained for some months, that this country cannot escape a war, is very much confirmed. It is a prospect from which I would gladly turn my eyes—to my parents, to my children, to my country, full of danger if not of ruin—yet a prospect which there is scarce a hope left of avoiding. May I meet it as becomes a man.

16th. Attended at ten this morning the committee on the Extraordinary Naval Appropriation bill. The chairman's letter to the Secretary of the Navy, and his answer, were read, and we agreed to report the bill without amendment; which was done. The books I had sent round were unpacked at the library, and all in perfect order. In Senate, Dr. Mitchell called up his motion for a committee on the defence of our ports and harbors; which was adopted, and a committee of five appointed—Mitchell, Sumter, Milledge, Robinson, and myself. We met immediately after the adjournment, and sat until about three, without, however, coming to any decisive resolution.

17th. Met at ten this morning the committee on Tennessee Lands. Mr. Anderson and Mr. Bradley are the other members. After some conversation upon the subject, it was agreed that Mr. Anderson, the chairman, should draw a bill to present for consideration at the next meeting of the committee. Nothing of importance was done in Senate. I wrote a letter to Governor Sullivan. The House of Representatives were engaged with closed doors upon a proposition of Matthew Lyon to suspend the payment of British debts, and the transfer of American stocks in the hands of British subjects. It was, however, rejected. I enquired of Dr. Mitchell whether any preparatory measures had been taken by the Executive for the contingency of war besides those which have been communicated to Congress; and particularly, whether of negotiation with France. He said he believed *none*. I observe among the members great embarrassment, alarm, anxiety, and confusion of mind, but no preparation for any measure of vigor, and an obvious strong disposition to yield all that Great Britain may require, to preserve peace, under a thin external show of dignity and bravery.

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I had some conversation with Mr. Dana after the House of Representatives adjourned. He is prepared for any measure of energy; but he, like myself, is in a small minority.

18th. On executive business in Senate. The nominations to office were all confirmed, excepting that of R. J. Meigs as Judge of the Michigan Territory, which was negatived. That of Dr. Thornton, as a justice of peace in the District of Columbia, met with some objection, grounded on his situation in the Patent Office. It was, however, confirmed. The further naval appropriation acts passed without a division. After the adjournment the committee on the British aggressions, &c., met, and was full. The section I had drawn up, to assume as a general principle the exclusion of foreign armed vessels from our ports and harbors, with the exceptions of distress, dispatches, and Treaty rights, was rejected—Messrs. Bradley, Sumter, Mitchell, and Anderson voting against, Mr. Milledge and Mr. Smith of Maryland for it. I then proposed as a substitute a section pointing specially at the British; upon this no decision was taken, and the committee adjourned until to-morrow after adjournment of the Senate. I went afterwards into the House of Representatives, where I found them still debating in committee of the whole W. McCreary's election. Mr. J. Clay offered, as an amendment to the report, sundry resolutions, and said if they were rejected he should *not vote at all* on the final question. They rose without deciding.

19th. The credentials of Mr. Mathewson, the Senator from Rhode Island, who takes the place of Mr. Fenner, chosen Governor of that State, were read. Mr. Howland said that he was unwell this day, but would attend to-morrow. Nothing was done in Senate. The committee of seven on British aggressions met. Mr. Bradley offered several propositions, which with some modification were agreed to, and a sub-committee, Mr. Bradley, Mr. Smith of Maryland, and myself, appointed to draw a bill. The committee adjourned to ten o'clock Monday morning. The committee on fortifications, &c., met immediately after. A letter from the Secretary of the Navy was read, asking for nearly two hundred more gun-boats, and the committee authorized the chairman, Dr. Mitchell, to draw a bill for that

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purpose. Conversing afterwards with the Doctor, he told me that the members of the House of Representatives were extremely busy electioneering for the next President and Vice-President; that the candidates for President were Mr. Madison and Mr. Clinton; but that Virginia and Massachusetts were nearly combined for Madison, with whom was to be joined a Vice-President from New England (I presume Langdon), and that Clinton would be laid aside. Clinton, he said, was his man; but that his age was objected, and he did not give dinners as Madison was doing. Another thing against him was that John Randolph had declared openly for him, and Randolph was so completely down that his support was enough to insure the old gentleman's defeat. In the evening I examined the act of 3d March, 1805, for preserving peace in the ports and harbors, with a view to revisal.

20th. The Library committee of last session were to meet at ten this morning. But only three members, Dr. Mitchell, Mr. Dana, and myself, attended. Mr. Clay, though notified, did not come; and we have lost two members—Mr. Baldwin by death, and Mr. T. M. Randolph, who is not a member of the present Congress. We agreed, however, that Dr. Mitchell, the chairman, should prepare a report, to be made to the two Houses; that Mr. Dana should superintend the making and printing of a new list of the books, and that Dr. Mitchell and myself should confer with the President respecting the place for keeping the library. In Senate, Dr. Mitchell, from the committee of defence, reported a bill for building gun-boats. The sub-committee on aggressions met, and Bradley presented a bill which he has drawn under the vote of the general committee, which I took home with me to examine and modify. I employed the evening in that work; but Mr. Anderson, who voted against me on the question, requested me this day to renew it—and told me that on further reflection he was convinced my project was the best. Mitchell told me that he voted with Bradley only to keep him in good humor, and to pledge him in support of a plan upon the idea that it was his own; and Mr. Milledge urged me with some anxiety to renew the question upon my section; which, however, I shall decline.

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21st. The remainder of the day and the whole evening I employed in drawing a bill to present to the committee of seven on Monday morning. I did not quite get through.

23d. Met the sub-committee this morning at ten. Mr. Bradley had two or three additional sections to offer, which, with modifications, were agreed to, as was my bill, and all to be reported to the committee of seven. The Senate then sat. There was some debate on the Gun-boat bill, which was finally made the order of the day for Wednesday (day after to-morrow). Adjourned before *one*. Committee of seven met, discussed the bill of the sub-committee, and, with some alterations, ordered me to report it. I gave it accordingly to the clerks, to be copied by to-morrow morning.

Through the whole of this transaction I have had some difficulty to steer my way. I moved the first resolution, which has issued in this bill, the day after the President's message at the commencement of the session, merely to put the Senate upon some work. For I knew they would otherwise do nothing but what should come from the House. I was obliged to leave it three or four days for consideration, and when the committee was appointed I was made its chairman. But Bradley not happening to be on the committee (though of five) immediately felt his pride piqued, and he determined to take the business out of my hands; so that, some days after, he moved for a new committee, substantially upon the same subject, though varied in form (a practice often used when the chairman of a committee of importance happens to be a federalist), and he took an opportunity to move this resolution when I was not in the House. From the moment it was made I saw its motive and object, but I saw that to attempt resistance against it was vain. So perfectly similar was it to my resolution in substance that it was noticed by a number of members, and he finally professed that he meant its reference to the *same* committee. I then moved the addition of two members to the committee, that he might be one of the number. When the committee met, he opposed the first principle upon which I wished the bill to be formed, and prevailed. He then proposed successively his own measures, most of which

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were adopted; and eventually I did scarcely any thing more than draw the bill. Even this, however, he has violently contested; and having drawn a mere proviso, upon the same principle in substance as one which I had drawn, and the committee having given the preference to mine, he broke into a passion, and told them he would vote against the whole bill, and would not vote upon any of the subsequent sections. I believe his purpose is to defeat the whole; and he has introduced some sections which he knows will be violently opposed, with the intention that they shall first fail, and then he will fly from the whole with great disgust at the *want of energy* in the Government.

24th. I reported this morning the bill from the committee of seven, which was read and passed to the second reading. It went immediately to the printer's; but being very long, and as I wished to have it ready for to-morrow morning, I had the proof-sheets brought to me, and corrected them this evening. There was no other business done. After the adjournment, the committee on defence met, considered a report from the Secretary at War, and agreed to see him in person at the next meeting.

25th. The bill I reported yesterday was read the second time, and made the order of the day for to-morrow. Dr. Mitchell's Gun-boat bill was taken up in committee of the whole, and warmly debated, until, at his own motion, it was postponed for further consideration until next Monday (30th). I moved a resolution to request of the President a statement of impressed seamen since the last report. It lies for consideration. Dined at the President's, with my wife. Mr. and Mrs. Erskine and Mr. Foster were there—as were Mr. and Mrs. Blount, Mr. Barlow, and Mr. Fulton.[1] The President said to Mr. Erskine that, by the accounts in the English newspapers, it was alleged that their Government had determined to transfer the pending negotiation here; "and that," said he, "I suppose will take us all winter, and in the mean time your nation will make peace, and leave us nothing to dispute about—*that is all my hope.*" If there was any sincerity in these words, *procrastination* in-

[1] This was the celebrated Robert Fulton.

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cludes the whole compass of Mr. Jefferson's policy, which I believe to be really the case. Mr. Fulton was very anxious to make an experiment of his torpedoes before both Houses of Congress.

26th. Dr. Mitchell's committee of defence had a conference this morning at ten with the Secretary at War, which was protracted until the Senate had been some time in session. The bill I had reported was taken up in committee of the whole. Bradley renewed his attack upon the proviso; Mr. Hillhouse and Mr. Pickering immediately sided with him, and a debate of two hours ensued upon a few words which he moved to strike out. On the question taken, it was decided the words should stand—fifteen to fourteen. Mr. Pope then moved to strike out the whole section, upon which a second debate arose as warm and long as the first. It was finally closed by a motion to adjourn, which was agreed to. Bradley supported Pope's motion, with a view to have the bill recommitted, with instructions simply to *continue* the act of 3d of March, 1805, and then add *his* new propositions to it. His ultimate object is to defeat the whole bill. Hillhouse's the same, but he openly avows it. The majority of the Senate, at the end of this day's debate, obviously wished for delay—procrastination; and I shall not hurry them on—they shall take their own time. The bill itself, as it stands, is no favorite of mine, and I shall not be much concerned at the fate which awaits it. Evening at home. Began reading the evidence against A. Burr, communicated by the President.

27th. When I entered the Senate chamber this morning, Mr. Moore, of Virginia, told me that John Smith, the Senator from Ohio, was here, and was going to take his seat in Senate this day. He was indicted for treason, and for a misdemeanor, by a grand jury, before the Circuit Court of the United States for the District of Virginia, last August. But, after the failure of the bills against Burr, a nolle prosequi was entered by the District Attorney on the bills against Smith. As the members came in, the circumstance of his arrival and intention to take his seat was mentioned, and produced considerable agitation among them. Mr. Mitchell, who had conversed with him,

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produced a certificate of the nolle prosequi from the Clerk of the Court, which he had given him to be shown, and at his desire he mentioned Smith's regret that he had not had an opportunity for a trial to demonstrate his innocence.

A general reluctance against his taking his seat now appeared, which was communicated to him; but, as he did not reply that he would refrain from it, Dr. Mitchell, immediately after the Journals were read, moved to adjourn. It was first agreed to adjourn over to Monday. The Doctor then renewed the motion to adjourn. Mr. Maclay requested him to withdraw his motion, which he did. Mr. Maclay then moved a resolution for a committee to enquire and report whether John Smith ought not to be expelled for his connection with Burr's conspiracy. A long debate arose upon the form of the resolution. Mr. Pope and Mr. Thruston, of Kentucky, Mr. Jones, of Georgia, Mr. White, and Mr. Hillhouse, all proposed amendments or substitutes; and Mr. Bradley moved that *all* the resolutions proposed should be referred to a committee, to enquire and report whether any thing further should be done. Several attempts were made to adjourn, but failed. The debate continued until half-past two, when Mr. Thruston's resolution, with Mr. Jones's amendment, was adopted,[1] and a committee of seven appointed. Of this committee, to my great regret, I was chairman, according to the practice which prevails on the choice of the Senate's committees; that is, the member having the greatest number of votes is first named, and as such is chairman. The Senate then immediately adjourned.

I assembled the committee, to take their directions, and moved that Mr. Maclay should be chosen chairman, as the original resolution upon the subject came first from him. The committee, however, refused to vary from the ordinary practice.

[1] The resolution as finally passed was in these words:

"Resolved, That a committee be appointed to enquire whether it be compatible with the honor and privileges of this House that John Smith, a Senator from the State of Ohio, against whom bills of indictment were found at the Circuit Court of Virginia, held at Richmond in August last, for treason and misdemeanor, should be permitted any longer to hold a seat therein; and that the committee do enquire into all the facts regarding the conduct of Mr. Smith, as an alleged associate of Aaron Burr, and report the same to the Senate."

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It was so late that the committee took no other order but that to adjourn until to-morrow morning, ten o'clock. The committee consists of Messrs. Maclay, Franklin, Smith of Maryland, Pope, Thruston, and Anderson, with myself. Before I left the Capitol, the editor of the National Intelligencer came to me and enquired whether the proceedings of the committee would be in public—for in that case he should wish to attend, and perhaps take minutes. I told him that I could not answer for them, but would mention it to-morrow morning to the committee, and inform him of their determination there.

In the House of Representatives, a petition was presented from the merchants of Philadelphia for the repeal of the Non-Importation Act; which occasioned also there, as one of the members told me, a very ardent debate. The same petition was presented and read in Senate; but nothing was done with it.

28th. Attended the committee of enquiry on the conduct of John Smith. There was some conversation respecting the principles upon which they would proceed, but no final decision. It was agreed to apply for a clerk, to the Secretary, and that the chairman should request the attendance of Mr. John Randolph, Mr. James M. Garnett, and Mr. Rodney, the Attorney-General, ten o'clock Monday morning, to which time the committee adjourned. Mr. Smith of Ohio afterwards accosted me in the Senate chamber, and had some conversation with me, the substance of which I have committed to writing, to be communicated to the committee. I sent the letters to Messrs. Randolph, Garnett, and Rodney. I called at Mr. Cook's lodgings to return his visit, but he was abroad. The remainder of the day and evening I was at home, examining precedents and taking minutes.

29th. Remainder of the day at home, employed principally in reading over Hatsell's Precedents. The situation in which I have now been placed, as chairman of this committee on the case of John Smith, is so full of difficulty and embarrassment that I would shrink from it, if consistently with my sense of duty I could. It absorbs all my faculties, and calls for so many more, that I can rely only upon Providence to conduct me through the real path of right, of justice, of virtue.

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30th. Attended at ten this morning the committee on the case of John Smith. They proceeded on business and passed several resolutions, of which I made the minutes for the clerk to copy. Mr. Rodney, the Attorney-General, attended, and delivered a number of depositions, which, however, the committee had not time to hear read. He also named several persons who would probably be witnesses. Mr. Randolph and Mr. Garnett also attended, and mentioned several of the circumstances which occurred on the examination before the grand jury, and most particularly the inconsistencies and self-contradictions in the testimony of Ambrose Smith, son of the accused, who was brought as a witness for his father. These gentlemen agreed to attend the committee to-morrow at half-past ten. The committee adjourned until ten.

In Senate, the resolutions I was directed to move for were adopted, as was also my resolution for information from the President concerning impressed seamen. The Aggression bill from the committee of seven was again taken up as in committee of the whole. I replied to Mr. Hillhouse's objections at the close of the last discussion, and he rejoined. All this on the fifth section. At last an amendment, proposed by Mr. Pope, was adopted. There was also some debate on the subsequent sections of the bill, and just before three the Senate adjourned, without coming to the question upon the bill. I wrote to Mr. Poindexter, delegate from the Mississippi Territory, to request his attendance to-morrow on the committee. It was almost five when I got home. Evening at home, reading the depositions.

December 1st. Attended the committee of enquiry concerning Mr. Smith of Ohio, at ten this morning. Messrs. Randolph, Garnett, and Poindexter attended. Glover's affidavit was read, and the two members of the grand jury said it was substantially the same testimony he had given before them. Mr. Poindexter stated, as a fact which had appeared in evidence on a trial in the Mississippi Territory, that Smith, since his election as a Senator, had taken an oath of allegiance to the King of Spain. Several orders were given by the committee to the chairman. I received last night a letter from Mr. Smith containing requests

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similar to those he had verbally made to me, and, upon laying it before the committee, answered as they instructed me. The committee sat until noon, and adjourned to ten to-morrow morning. I found the Senate engaged in discussing the Aggression bill; which, after a very warm discussion, passed to a third reading.

2d. Committee of enquiry from ten to twelve. Read the papers left with the committee by Mr. Rodney; also a letter from Mr. Smith insisting upon a hearing. The proceedings of the committee are on the minutes. I sent by post an order to the Clerk of the Circuit Court, Virginia, for certain papers.

In Senate, the Aggression bill passed—twenty-six to three. Mr. Hillhouse made two very warm speeches against it, and called for the yeas and nays. In the evening I called upon Mr. Rodney to make some enquiries respecting Smith's affair, and he gave me two additional papers.

3d. Committee of enquiry again from ten to twelve. I wrote by direction of the committee to the accountant of the Navy Department, and also to Mr. Hay, at Richmond, and to Mr. Washington Boyd, to ask his attendance on the committee to-morrow morning. The Gun-boat bill was taken up, and, after a considerable debate, carried without division. Senate adjourned about three. I went into the House of Representatives and heard a debate upon some resolutions of Mr. Randolph's, which were all carried. I asked him and also Mr. Poindexter to reduce their statements relative to Mr. John Smith to writing, which they both promised to do. Spent the evening at home, reading the documents of Burr's trial, and writing. In the course of the day I also examined some precedents of expulsion cases in the Journals of the House of Commons.

4th. The committee of enquiry concerning John Smith met before the meeting, and again after the adjournment of the Senate. Obtained a resolution from the Senate authorizing them to admit his attendance. Received a letter from him enquiring whether he might attend with counsel. No decision was taken upon this. There was little other than executive business done. I went into the House of Representatives, and obtained from Messrs. Randolph and Garnett the certificates

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which they had been requested to give, but not sworn to. Mr. Sloan told me he wanted to talk with me about a proposition to remove from this place, of which he was more tired than ever.

5th. Met the committee of enquiry at ten. Mr. Smith attended, and read a written address to the committee, declining to give any explanation, verbal or written, but upon certain conditions. I wrote him an answer, which, after a great variety of propositions, was adopted and sent. The committee sent to Lieutenant Jackson to attend; which he did, and gave his affidavit; producing, also, Mr. Burr's letter and order on John Smith, in his favor. Mr. Washington Boyd also brought his affidavit. Mr. Poindexter attended, and delivered his statement in writing. He requested that Mr. Smith might be present to hear it read. Mr. Smith was called in. The statement was read to him. He read it himself—asked Mr. Poindexter what was the time to which he certified; to which he answered, in 1805 or 1806. Mr. Smith asked whether the committee had a copy of the oath, and, before answer given, said perhaps his question was improper. He then said he wished that every thing which passed between him and the committee might be in writing, that it might appear in future, and withdrew. I was directed to arrange the evidence collected and prepare a resolution to be moved for printing the papers. Evening employed in writing the sketch of a report.

7th. Attended the committee of enquiry again this morning at ten. Mr. Smith's letter was read, and the answer I had drafted was agreed to. I was directed to move for leave to print the papers. The enquiries to be addressed to Mr. Smith were stated, and the papers I had selected filed for printing. In Senate, little business was done. A message came from the President on the state of the British negotiation. But only one copy was sent, and that went to the House of Representatives. The Senate adjourned without waiting to have it brought in. I had another letter from J. Smith.

8th. Attended the committee of enquiry. Mr. Smith's letter was read, and the answer adopted and sent. He is to attend the committee to-morrow morning. In Senate, the President's

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confidential message was received, with the letters which had passed between Mr. Monroe and Mr. Canning. The reading employed about two hours, and little else was done. After the adjournment Mr. Erskine came in with his brother and Mr. Taylor. Mr. Erskine is very anxious for the repeal of the Non-Importation Act.

9th. Committee of enquiry at ten this morning. Mr. Smith attended, and the papers containing the evidence relating to him were read to him, with the questions agreed upon in writing respecting them. He engaged to have his answers in writing ready by Saturday morning, to which day, at eleven o'clock, the committee adjourned. In Senate, the Biddeford and Saco bill passed. The amendments to the Potomac Bridge bill, reported by the committee, were considered, and after some debate were, with the bill, recommitted. In executive business, a number of nominations which had been postponed and committed were reported upon and confirmed.

Mr. Gilman called up his motion for the appointment of a second engrossing clerk to the Secretary of the Senate. There was no necessity for such an addition; but there is a Mr. Van Zandt, who has been a subordinate clerk in the House of Representatives, and at the opening of the session was a candidate for the Clerkship of the House; the late Clerk, Mr. Beckley, being dead. Van Zandt would undoubtedly have been chosen, but after the second ballot Mr. Randolph in his place charged him with a breach of trust, upon which he lost his election. This man has some personal or family connection with the Vice-President, who has ever since been laboring to get him this place in the Senate. He has spoken privately to most of the members, and, among the rest, to me. I objected the unfitness of the man, the indelicacy to the House of Representatives in taking him up after their rejection for such a cause, and the injustice to our present clerks in putting him, in a manner, over their heads. The Vice-President said he wanted somebody to help him read; that as to the indelicacy to the House, he did not think there would be any; that he would take care it should not injure any of our present clerks, and Van Zandt would share his salary with Elliott; that the man

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had a family, and would perish with want if he did not get the place. These reasons did not convince me. Gilman, who made the motion, boards with the Vice-President, at Mrs. Buckley's, and she is a sister or cousin of Mrs. Van Zandt. After considerable debate, Gilman's motion was lost—fifteen to fourteen; upon which he immediately arose, and, with much heat in his manner, gave notice that he would to-morrow move that the Senate should proceed to the appointment of a Secretary. The Vice-President was also apparently much disappointed and discomposed at the issue. I suppose he will carry his point; but it is providing for a worthless character at the public expense.

11th. The Senate were engaged on the bill providing for the defence of the ports and harbors; which, after a debate of three hours, was postponed until Monday. I received a letter from Mr. Smith of Ohio, mentioning that he should not be prepared with his answers to-morrow. Mr. Otis introduced me to the new Senator from Rhode Island, Mr. Mathewson. Mr. Franklin obtained leave of absence for three weeks. After the adjournment I went into the House of Representatives, but they also adjourned immediately. In the evening I received some additional depositions from Mr. Rodney, and the papers from the Clerk of the Virginia Circuit Court, for which I had sent.

14th. Mr. Quincy brought me a transcript of the petition from Boston for the modification, suspension, or repeal of the Non-Importation Act, signed by upwards of eight hundred names. I had told General Smith of Maryland that this petition was coming, and asked him what should be done with it. He said it would be best to let it lie on the table with the petition from Philadelphia. I have conversed lately several times with him and Dr. Mitchell and Mr. Anderson, and told them that I believed the best thing that could be done by the administration would be to give up this law and repeal it at once; but that, as the Executive would finally be the responsible party, and as it had been passed for the purpose of aiding in negotiation, so long as the President believed it would assist him, I would not countenance any thing that should attempt to

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weaken the Government by opposition. Smith has himself appeared much embarrassed on the subject. He wishes for the repeal. He admits that it is rather an obstacle than a benefit to negotiation; but he intimates that the President is still attached to it, and said, the other day, "The devil of it is, that there are eighty members of the House of Representatives who have committed themselves upon the question." In consequence of these and similar conversations, I barely presented the petition from Boston, without making any motion for its reference. But it had not lain above a quarter of an hour before General Smith himself moved its reference to a committee of five, which was immediately agreed to, and a committee appointed, of which Smith is chairman. Mr. Maclay then moved that the Philadelphia petition, which has lain several days on the table, should be referred to the same committee. Smith opposed this, on the ground that this was a political trick, intended to embarrass the Government. It occasioned a debate of two hours, when the petition was referred, on yeas and nays taken—sixteen to thirteen. After this came on a new amendment reported by the committee to the Potomac Bridge, which was debated until the adjournment, without coming to a decision. I afterwards went into the House of Representatives, where they had been all day debating whether the Boston petition should be referred; they soon after decided by yeas and nays that it should, and adjourned.

15th. The committee of enquiry met this morning at ten. The papers received since the last meeting were read. An answer to Mr. J. Smith's two last letters directed and sent. Mr. Daniel Clark attended, and gave information of what he knew respecting the oath of allegiance to the King of Spain. Adjourned to the 18th at ten A.M. In Senate there was little business done, and that not of material importance. After the adjournment I went into the House, where they were debating on the reference of the Philadelphia petition. I left them at four o'clock taking the yeas and nays. The reference was refused by a small majority.

16th. Attended the committee on the Boston petition and Philadelphia memorial relating to the Non-Importation Act.

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General Smith of Maryland, General Sumter, Mr. Gregg, and Mr. Gilman are the other members. As the memorial from Philadelphia prays only for a repeal, that was first considered, and the general policy and probable consequences of the act freely discussed. General Sumter and myself inclined to think a repeal would be the most advisable measure; but the other members preferred a further suspension and modification, in which we readily acquiesced. It was therefore agreed to report against the prayer of the Philadelphia memorial, and also that the report should add some animadversions on the improper matter contained in the memorial. The chairman put it into my hands and desired me to draw up the report.

17th. No committee this morning. The Senate were engaged on a bill for extending the right of suffrage in the Mississippi Territory. I took no part in this debate. But a question of order arose on which I made a question. Mr. Milledge moved to postpone the consideration of the bill to the first Monday in November next. Mr. Pope moved its postponement to next Monday. The Vice-President said the longest time must be put first. Without appealing, I enquired whether this was a case to which that rule could apply—one motion being for postponement beyond the session, which is only a form of rejection, and the other a mere adjournment of the question to a future day. Mr. Milledge, however, consented to the postponement until Monday, and took away my question. I find by the Manual, section 35, that I was right. Mr. Anderson asked me for a speech on this question. I told him he should have my vote; but I now take so much part in almost every debate, that, in common prudence and modesty, I ought to abstain from some. Evening at home, writing on the report for the memorial from Philadelphia.

18th. Met the committee of enquiry at ten o'clock. Mr. Smith attended, and presented answers to the questions of the committee, which it took me upwards of an hour and a half to read—with forty-six documents in support of these answers. We had only time to go through the answers, and adjourned until to-morrow, ten A.M., to read the other papers.

We attended the Senate about noon. A motion was made

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for considering my proposed amendment to the Bridge bill, when a message came from the President. There was a private letter to the Vice-President, stating that the message was to be confidential or not, as Congress should deem expedient, and a request that two papers, being letters between General Armstrong and Champagny, the French Minister of Foreign Affairs, should be returned. From these documents it appeared that the Emperor of France had determined to carry the decree of 21st November, 1806, into full execution, without regard to her Treaty with us. The message enclosed also the King of England's proclamation recalling his seamen and authorizing their impressment from merchant vessels. It likewise recommended in unequivocal terms an immediate embargo.

After the papers were read, Mr. Anderson moved their reference to a select committee of five. They were accordingly appointed—Smith of Maryland, Anderson, Bradley, Gregg, and myself. We immediately went into the committee room, and, after some discussion, in which I suggested very strong doubts as to the propriety of the measure, upon the papers sent with the President's message, I finally acquiesced in it, as a compliance with the special call for it in the message. I enquired whether there were other reasons for it besides the diplomatic papers sent with the message, as *they* appeared to me utterly inadequate to warrant such a measure. Smith, the chairman, said that the President wanted it to aid him in the negotiation with England, upon which Mr. Rose is coming out—and that *perhaps it might enable us to get rid of the Non-Importation Act.* I yielded. But I believe there are yet other reasons, which Smith did not tell. There was no other opposition in committee. Some question was made whether we should report a resolution or a bill. The last was concluded on; and, as we thought it would be necessary to found some other measures upon these papers, we agreed to report *in part.* The bill was reported, and after passing to the second reading, on the motion to read it the second time this day, Mr. White interposed his negative. Smith moved then to suspend the twelfth rule for three days; which was carried. At the second reading the bill was strongly opposed by Messrs. Hillhouse, Sumter, and Pickering; and par-

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tially by Mr. Crawford, the new member from Georgia, who wanted time. The yeas and nays were taken three times—at the second reading, twenty-two to seven; on a motion to postpone the third reading until to-morrow, twenty-two and six; and on the passage of the bill, twenty-two and six. On the last two votes General Sumter had left his seat. We sent the bill to the House, and then adjourned. The House did not get through with it this day. It was almost six o'clock when I got home.

19th. Attended again the committee of enquiry [1] at ten. We read his papers for nearly two hours, without getting through them. We were then summoned to attend the Senate. My proposed amendment to the Potomac Bridge bill was taken up, and, with some alteration, adopted. Other amendments also were offered, and adopted or rejected. Mr. Anderson finally moved two additional sections, to lie for consideration. On the questions this day taken the Senate were divided very equally. The alteration, on the amendment proposed by me, was decided by the Vice-President, the votes being fourteen and fourteen. Between three and four o'clock the Senate adjourned until six, expecting the House would, before they rose, decide on our Embargo bill. But, after sitting until five, they adjourned over to Monday, without taking a final question upon the bill. I did not leave the Capitol. Mr. Timms, our deputy door-keeper, gave me some dinner in a committee room of the House of Representatives. At six, without waiting for a quorum, or for the Vice-President, the members of the Senate present, with the Secretary, adjourned to Monday morning.

21st. Met the committee of enquiry at ten this morning. The remainder of Mr. Smith's papers were read, and there was some discussion respecting his answer, and the papers to be printed. I had the sketch of a report prepared, and was ready to read it; but the time was not allowed. In Senate, the Potomac Bridge bill was passed as amended to a third reading, without much debate—by a sort of agreement of General Smith of Maryland, whose real opposition against it seems a little doubtful. The bill for extending the right of suffrage in

[1] In the case of John Smith.

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the Mississippi Territory was also warmly debated, but finally, upon a proposition for an amendment, was postponed. An executive message was received from the President. Senate adjourned about four o'clock.

22d. Committee of enquiry again. Mr. Smith brought us a number of additional papers, which were read. I also read my draft of a report, after some little effort for its further postponement. Some diversity of opinion rose upon it, and Mr. Pope took the paper with him to look it over. In Senate, we closed and opened our doors several times, on the several stages of the Embargo bill. We agreed immediately to the amendments from the House; and the bill was approved and signed by the President in the course of the day. It was finally, after much debate, agreed to print the papers, excepting the two letters which the President had requested might be returned. The Potomac Bridge bill was debated at the third reading, but the question upon its passage not taken. I also put into the hands of General Smith of Maryland a report on the Boston and Philadelphia memorials concerning the Non-Importation Act. I passed the evening with the ladies at Mr. Davidson's. I had some conversation with Mr. Plater concerning the embargo, which he very strongly disapproves.

23d. Met the committee of enquiry; and after much discussion respecting the printing of papers, and my report, it was finally determined to leave the selection of papers for printing to the chairman. Before we had finished our present business, Mathers, our door-keeper, came in and told us that the Senate had adjourned. Mr. Thruston took my report to peruse, and asked me whether he might show it to a friend, at his lodgings, not a member of the committee—to which I objected, until the committee should have determined upon it. I selected the papers now to be printed. In the evening I received several letters trying to my firmness. But I hope it will not, any more than my prudence, justice, or humanity, forsake me. Mr. Monroe arrived here last evening from England.

24th. Committee of enquiry met again at ten. Mr. Thruston brought back my report, which was again read, and, with some very slight variations, agreed to, reserving, however, the final

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question for further deliberation. On information that Mr. James Taylor, whom we have been long expecting, was arrived, a letter was sent to him requiring his attendance to-morrow morning at ten o'clock. In Senate, a motion was made to adjourn until Monday, 28th, which was, however, not carried. Agreed to adjourn to Saturday, 26th. The Military Peace Establishment bill passed. Potomac Bridge bill, after debate, was postponed to the second Tuesday in January, for the avowed purpose of giving time to Mr. Bayard and Mr. Franklin, who are in favor of it, to return. So that this question may be considered as settled. In executive business, some nominations were confirmed, and others referred for further enquiry.

25th. Christmas day; but the committee of enquiry met at ten this morning. Mr. James Taylor attended, and made his statements in the presence of Mr. Smith, who wished until to-morrow morning to put his questions; which was agreed to. The committee sat until near three o'clock, still discussing the principles of my report. Part of what was yesterday struck out was this day reinserted.

26th. There was, I believe, no quorum of the Senate formed this day; but a few of the members met, and adjourned to Monday. The committee of enquiry sat, however, and received the affidavit of Mr. Taylor. Mr. Smith attended with forty questions prepared in writing, which he desired him to answer. Two-thirds of them were obviously immaterial or improper, and Mr. Smith agreed to withdraw them. At the committee this morning I presented the supplementary report for consideration. Mr. Smith of Maryland is gone to Baltimore, and has been absent from the committee yesterday and this day.

28th. Attended the committee of enquiry at ten this morning. Mr. Taylor attended, and was sworn to his answers to Mr. Smith's questions. Upon which Mr. Smith made a motion that he should be furnished with copies of these answers, and that the committee should adjourn until to morrow morning, to give him time to make further questions. This was refused. The committee offered, however, to receive any further questions he might choose to put immediately. He declined to put any.

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The Senate sat a very short time, and did scarcely any business. Evening at home; principally reading. Dr. Mitchell asked me this morning what the report of the committee would be in the case of Smith, and I told him. He then asked me if I knew what was going on between Wilkinson and J. Randolph. I did not. He said that Wilkinson had demanded explanations of some things said by Randolph of him, and challenged him; Randolph had refused to meet him, alleging that he considered Wilkinson as on a level with Aaron Burr and Sergeant Dunbaugh; that Wilkinson had replied by a very bitter, recriminating letter, which was delivered yesterday by Captain Pike, and that the object of the whole was publication in the newspapers. He said further that there was somebody to testify that Randolph had once been horsewhipped, and in short that they were going to *run him down*. I told him I was very sorry for it.

29th. Committee of enquiry again this morning. Mr. Smith attended, and was informed that the committee were ready to receive any further questions he might put to Colonel Taylor, or any explanations relating to his testimony. He said, as the committee had not given him time yesterday, he would not put any; but he delivered a letter containing his remarks concerning it. The committee agreed to both the reports, and to present them the day after to-morrow. In Senate, the bill appropriating a million for further fortifications was taken up, and amendments proposed, upon which it was recommitted to Dr. Mitchell's fortifying committee, with the addition of two members, Mr. Tiffin and Mr. Gregg.

30th. Met Dr. Mitchell's committee on the Fortification bill at ten this morning. Mr. Milledge's amendment, specifying certain limits within which proportions of the whole sum should be expended, was discussed and rejected. He afterwards moved it in Senate, and, after passing through various amendments there, it was finally rejected by yeas and nays, sixteen to eleven. I took a part against this amendment both in committee and in the Senate, perhaps without necessity. Mr. Milledge appeared to have it much at heart, and by some intimations from Mr. Anderson, in the debate, and more explicitly afterwards, I found that this is an electioneering bill, and that the *specification* was

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to counteract Clintonian or New York interest. Of this I knew nothing. Indeed, I have been ignorant of all the manœuvring of election until this; though I have heard talk of it by several. After our adjournment, I went into the House of Representatives, where they were debating a bill additional to the present embargo. The House appeared very unconcerned, and there were barely members enough on a vote, to constitute a quorum. I did not stay long. Evening at home, reading John Smith of Ohio's answer to the queries of the committee.

31st. The committee of enquiry met at ten. Only four members present—Maclay, Pope, and Anderson, with myself. The reports were finally determined upon, and agreed to be made this morning. The evidence printed by order of the committee was ready. We attended in Senate, and I moved that Mr. Smith should be notified to attend in his seat. He attended, and the reports were read. A debate first arose on the question for printing the principal report, which Mr. Hillhouse opposed. Then some debate on reading Smith's answers to the committee's questions, which Hillhouse very strenuously urged to have printed. The parts, however, which inculpated Nimmo were so manifestly improper that it was apparent the Senate would not allow the answers to be printed as they stood. Mr. Goodrich finally declared himself against it, upon which Smith, who had declared that he was determined to print the whole himself within ten days, agreed to strike out of his answers all that related to Nimmo. After striking it out, it was understood that the answers were then to be printed, under my inspection. It was almost five o'clock when we adjourned. The House of Representatives sat still later. They were engaged upon a motion for an enquiry into General Wilkinson's conduct, instituted by Mr. Randolph. Wilkinson this morning *posted* Randolph in printed hand-bills, headed "A Hector Unmasked," and proclaiming him a slanderous, prevaricating poltroon.

Day. The whole of this month I have been so much engaged upon committees and their business that I have been obliged entirely to forego the continuation of my lectures. I rise generally with the sun, or a little before. Read or write

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until nine. Breakfast, and walk to the Capitol, where I am very much occupied until four. Walk home. Dine, and pass the evening in my chamber reading public papers or writing until nine at night. Supper below; bed about eleven. Occasionally spending an evening abroad.

I have more than abundant reason to be thankful for the blessings of Providence during the past year, which has been perhaps the most prosperous year of my life, and the least checkered with unpropitious events. After passing its two earliest months here, in March I returned home, and resumed my residence in Boston. There I passed the summer, and was blessed in the birth of a third son, who has hitherto had health beyond the common portion of an infant. My other children, though of more slender constitutions, have also been preserved to us, as have my parents and other near relations. On the return of the Congressional meeting, with my wife and infant boy I came safely here, where we have since remained. My private affairs have been improving, though I have contracted a large debt, which it must be my constant and unwearied care to discharge. My own health, with some slight interruptions, has been greater than I had known for many years. My general consideration among my fellow-citizens, though not marked by any new public testimonial in the course of the year, has been to my observation apparently rising. During the present session of the Senate my standing in that body has been singular—apparently so distinguished as to have excited jealousies, with little more real influence than heretofore. The usual principal leading characters of the Senate have been absent altogether, or principally, this session. Tracy and Baldwin are no more. Giles and Bayard have not yet appeared. Smith of Maryland has been absent nearly half the time. The leading members have been Bradley, Anderson, and Mitchell, with whom in respect of the business of committees I have been much associated. On most of the great national questions now under discussion, my sense of duty leads me to support the administration, and I find myself of course in opposition to the federalists in general. But I have no communication with the President other than that in the

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regular order of business in Senate. In this state of things my situation calls in a peculiar manner for prudence; my political prospects are declining, and as my term of service draws near its close, I am constantly approaching to the certainty of being restored to the situation of a private citizen. For this event, however, I hope to have my mind sufficiently prepared. In the mean time, I implore that Spirit from whom every good and perfect gift descends to enable me to render essential service to my country, and that I may never be governed in my public conduct by any consideration other than that of my duty.

January 1st, 1808. At noon I went with the ladies to pay the customary visit to the President. There was a very numerous company of men, women, and children; but no Indians. Mr. Monroe and General Wilkinson were the strangers of principal note present. We stayed about an hour, and returned immediately home. I employed the day and evening as usual, but rather more remissly. In the morning I sent the rough draft of the report on J. Smith's case to the editor of the National Intelligencer, S. H. Smith, who requested it for publication in his paper on Monday next. After dinner, I corrected the proof-sheets of it as printed for the Senate. It is announced in Smith's paper of this day with much emphasis and some commendation.

2d. I called this morning upon the Secretary at War to show him the letter of young Neale, of Quincy, soliciting a commission in the army. General Dearborn told me that if I would enclose it with such recommendation as I chose to give, he should be put on the list of applicants to be nominated in his turn; but, he said, there was now no vacancy, and a numerous list of applicants. I agreed to enclose the letter, that he might get his chance. The Secretary also spoke to me about a bill which we have passed in Senate to increase the Military Peace Establishment, and which he seemed very much averse to having passed. I went up to the Capitol, upon a note received last evening from Mr. Smith of Ohio, mentioning that he should be ready with his answer, corrected this morning. He brought it accordingly, having expunged not only the parts objected to,

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but some others which he mentioned to me, and one of a very extraordinary nature, which he said nothing about, but which I discovered on reading it over. He also brought me a short letter, intimating that there was a strong point to prove his innocence, which he could not now disclose, but which might hereafter be his justification to the nation. His idea is that he can prove something against the President, which will intimidate his friends, so that they will not dare to expel him; and this, I suppose, is the key to that confidence with which he has come here and defied investigation. I sent his answers to the press. My report was sent up printed, and was in some demand among several of the members. But Mr. White and the federal members disapprove it, and will, I presume, make it pass through a fiery ordeal.

3d. The remainder of the day and evening I spent at home, still examining and scrutinizing the evidence respecting John Smith of Ohio. This subject, which has been imposed upon me, was one which of all others I should have wished to avoid. I am aware of all its difficulties, and know that the report I drew, which the committee reported, will be obnoxious to a large party of the people in this country. To maintain its principles I am bound to devote all my faculties; and my only concern is lest by some infirmity of understanding or of temper I may injure the cause I would defend. But the constant attention I am forced to pay to this subject compels me to neglect others of equal importance, but infinitely more reconcilable to my inclinations.

4th. I was exempted from attendance this morning upon any committee; but, however, attended early at the Capitol. A letter was read from John Smith to the Senate, complaining of the committee's report, and asking compulsory process for witnesses and to be heard by counsel. I remarked upon a misrepresentation in his letter; read his letter to me, dated on Saturday, and delivered with his corrected answer. I moved that both his letters might be printed. It was agreed that his letter to me would be printed of course, but many members objected against printing that to the Senate, and, the Vice-President intimating that he thought it would be improper, I with-

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drew my motion. The other business of the Senate was not of much interest in respect to debate.

5th. Mr. Bradley's committee on the President's confidential message respecting Tripoli and Lear were summoned to meet, and I attended, but some of the members failed, and the meeting was postponed until to-morrow. In Senate, the minutes of the committee's proceedings in the case of John Smith, and the material unprinted papers and letters, were read by me, and the report made the order of the day for Thursday, the 7th instant. The supplementary Embargo bill was read the second time, committed to Mr. Smith of Maryland (chairman), Mr. Gaillard, and myself. We met during the sitting of the Senate, and agreed to report two or three amendments. They were reported, and, after some discussion, agreed to be considered to-morrow. The Mississippi Suffrage bill passed by a considerable majority.

6th. Met Mr. Bradley and his Tripoli committee at ten this morning. The papers were read, and some discussion ensued on the course of proceeding proper to be taken in the case. It was finally agreed that the chairman of the committee should prepare and lay before the committee a letter to the Secretary of State, to ask whether the President had taken any steps to make Lear account for that stipulation which he signed, varying from the terms of the public Treaty, and which was never communicated to the Senate. The bill supplementary to the Embargo law was debated at the second reading, and various amendments proposed. Several attempts to recommit the bill were made, and failed; but at last, upon two amendments proposed by Mr. Milledge and Mr. Bayard, the Senate adjourned, without passing the bill to the third reading.

7th. The amendments to the bill supplementary to the Embargo were considered, and, with some others, modified and adopted. The bill passed to the third reading. The report upon John Smith's case was taken up, and upon a motion that he should be heard by counsel, which on the yeas and nays was unanimously agreed to, Mr. Hillhouse attacked the report, and Mr. Bayard both that and the reporter with unusual virulence. At this I was not surprised; but Bayard carried it farther

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than I expected. Though much provoked, I forbore answering as I might have done. It is indeed a fiery ordeal that I have to go through. God speed me through it! In the evening I went with the ladies to a tea-party at Georgetown, at Governor Lee's. I could not well spare the time, but I felt that I wanted some dissipation. The insidious and false imputations which Bayard had attempted to cast upon me, in two long speeches delivered in his highest tone of eloquence, had affected me more than they ought to do. For, after all, I know it is not in his power now essentially to injure my credit either with the Senate or with the public, and that his most violent attacks upon me can give him nothing more than a hard-bought triumph on the mere forms of debate. For the talent of extemporaneous speaking he knows his great superiority over me, and he exults in displaying it, because in every other particular he is conscious of his inferiority. It is perhaps from consciousness of both these things also that his exultations of victory are so galling to me. I know my moral and political principles to be more pure than his; and this is saying little, for his are very loose. I believe my talents and acquirements greater than his, excepting that of unpremeditated eloquence. Of that I have very little, and he more than any man I ever heard in Congress; but, as this is the only point in which an appearance of contest between us is exhibited to the world, he never loses an opportunity of holding himself out against me. My report above all he was unable to brook, for it has been praised so much that to him it was past all endurance; and so impatient was he to break out upon it, that he poured himself forth in his two speeches to-day, against every principle of order, upon a question on which the vote was unanimous. It was all a philippic upon me. Finally, next Wednesday was assigned to hear Mr. Smith's counsel, to show cause why the report of the committee should not be adopted.

8th. The bill supplementary to the Embargo passed with the amendments, and without a division. A bill for incorporating religious societies was reported by a committee, instead of a bill incorporating one Baptist society, which came from the House of Representatives. A point of order had occurred upon

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this bill. The committee to whom the particular bill from the House had been referred, without reporting upon that, asked leave to report by bill. I objected against this, as having a tendency to introduce a practice by which committees might withhold bills referred to them by the Senate, and thus suppress the discussion of them. The Vice-President pronounced it to be not in order. The committee took back their bill, and, as I had suggested to them, reported it as an amendment to the original bill, striking out the whole, as the enacting words. The Senate had very little business, and adjourned early. I went into the House of Representatives, where I found them engaged upon our amendments to the supplementary Embargo bill. They passed them all with very little discussion.

9th. Both Houses met this day and passed the bill supplementary to the Embargo. I met Mr. Smith of Maryland and Mr. Bradley on the bill for reviving the Mediterranean fund. Bradley wanted to revive the salt duty with it. We were all desirous of it; but, doubting whether, under a moral certainty that the House would not pass it, the more prudent course would not be to leave the subject untouched, we agreed to meet again on Monday. Met also Mr. Anderson and Mr. Gregg, the committee on a bill from the House to continue the salaries of certain executive officers. We agreed to report an amendment. Evening at home. Letter on the Embargo from Governor Sullivan.[1]

11th. I offered this morning a resolution for the appointment of a committee to consider and report when the Embargo may be taken off, and whether merchant vessels shall be permitted to be armed, and in defence of their lawful commerce to resist foreign aggression. It seemed to meet almost universal appro-

[1] This letter is short, and therefore may be inserted as indicative of the state of feeling at this time:

BOSTON, 4 January, 1808.

DEAR SIR:—

Why does such a close silence in our members at Washington, in regard to the cause of the Embargo, give our enemies such an advantage over us? The British party gain strength every day. The republicans talk equivocally, and the judicial and military powers are on the side of our enemies. Yrs., &c.,

JAMES SULLIVAN.

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bation,[1] but lies for consideration. Several of the members asked an explanation of what I meant. Some of them, after my explanation, appeared more reconciled to it. But there was still great apparent opposition against it. There was little business done in Senate, and they adjourned early. I went into the House of Representatives, where they were debating on the subject of instituting an enquiry into General Wilkinson's conduct. They adjourned without decision. Mr. Erskine gave me a seat home in his carriage.

12th. In Senate, the day was consumed in a debate whether John Smith should be furnished with copies of the proceedings of the committee, and of their correspondence with him. It was at last determined, by yeas and nays, that he should have them. On this question I did not vote.

13th. Mr. Smith of Ohio was to be heard this morning by counsel; at the meeting of the Senate he was asked to name them, and named L. Martin and F. S. Key. Mr. Bradley proposed to take the question separately upon the admission of each of them. Key was admitted unanimously, and Martin refused admission by a small majority. He then named Mr. Harper, but said he could not attend until the first of next month. Mr. Key then proceeded to show cause why the report of the committee should not *now* be adopted. He offered an affidavit of Mr. Smith, and an application for reasonable time and proper means to discredit the testimony against him. On this a debate arose, and finally an adjournment without a decision. Mr. Rose, the new British Envoy, arrived in the city this evening.[2]

14th. I attended in Senate. Mr. Smith's business was resumed. Various resolutions were offered, specifying how and what time he should have to disprove the testimony against him. They were all at last referred to a select committee. Senate adjourned after four in the afternoon.

[1] From what follows, it would appear as if the word intended must have been *disapprobation*.

[2] Mr. Rose was sent out ostensibly on a special mission to adjust the difficulty growing out of the attack on the Chesapeake, but really to take the place of Mr. Erskine, who had been thought too conciliatory.

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15th. There was little business done in Senate this day. They adjourned early; and the committee to whom the resolutions of yesterday were referred, met. They were Mr. Anderson, Giles, myself, Bayard, and Crawford. The various resolutions were considered, and one finally agreed upon as a substitute for them all.

20th. The committee on Mr. Giles's resolution for amending the penal laws met at ten this morning—the members, Giles, Adams, Bayard, Anderson, and Crawford. A general and desultory conversation on the objects of the commission was held, several points for future consideration agreed upon, and a vote passed that the chairman should write to the Attorney-General upon the subject. Adjourned to meet on Saturday morning at ten o'clock. In Senate, Mr. Tiffin was examined in the case of John Smith. The resolution reported by the committee, for giving Smith time to the first of March to bring his testimony, was adopted. The resolution proposed by Mr. Pope, to summon E. Glover and W. McFarland, was negatived—twenty-three to seven; and a couple of resolutions passed to send for copies of the Querist and a file of the Enquirer. Adjourned half-past three. Mr. Bradley delivered me a printed (circular) invitation to attend the meeting of the *republican* members of both Houses, Saturday evening, at six o'clock, to consult respecting the next presidential election. He observed to me that he hoped the old gentleman, Mr. Clinton, would be complimented with a *unanimous* vote for re-election as Vice-President, though he did not expect he would serve. I asked whether he was not to be supported for the Presidency. He said no; he was too old; and we are all witnesses that his faculties were failing; that Madison was the man for the Presidency. I agreed to attend the meeting.

21st. The resolution which I offered some days since, for a committee to enquire when the Embargo can be removed, and for the arming of merchant vessels on its removal, was taken up, and, after I had assigned my reasons for moving it, was rejected without debate or answer—seventeen to ten. After the vote was passed, Mr. Smith of Maryland said that he was willing the second object of the resolution, that of arming, should

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be pursued, but made no motion. The bill for extinguishing the State balances was taken up at the third reading. I moved to postpone its further consideration to the first Monday in December next, which after a short debate was carried by yeas and nays—seventeen to sixteen. In executive business, two Indian Treaties were read the second time, with the documents relating to them; immediately after which the Senate adjourned.

22d. The committee on the General Appropriation bill—Smith of Maryland, Bradley, and myself—were summoned to meet this morning at ten; but at Mr. Bradley's request the meeting was postponed until Monday next. In Senate the Potomac Bridge bill passed without debate, by yeas and nays—eighteen to fourteen. The two Indian Treaties were again read, and after some debate, upon motion, were referred to a select committee—Mitchell, Anderson, and myself. The Senate adjourned, and this committee immediately met. We examined the documents, and compared the Treaties with the maps We agreed to report a resolution for ratification of the Choctaw Treaty, and to meet again upon the other.

23d. Met Mr. Giles's committee on the penal laws this morning at ten. The Senate barely met and adjourned. The committee therefore had a long sitting, but without coming to anything very determinate. The proceeding was still altogether desultory. The principle was, however, settled that Congress might by law define and declare what acts constitute a levying of war under the Constitution. The opinions of the Courts on the questions of treason which have arisen were much canvassed. The committee adjourned finally to Tuesday morning. I dined with Mr. Bradley at his lodgings, and in the evening attended the convention of members to nominate suitable persons as candidates for the offices of President and Vice-President. There has been much question as to Mr. Bradley's authority to call this convention, which it seems he contends was given him at a convention on the last presidential election, four years ago. The New York members especially are extremely averse to it. There were, however, about ninety members who assembled under Mr. Bradley's summons; upon which he stated the

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authority formerly given him, and his reasons for calling the meeting. But he said that, as exception had been taken to his exercise of that authority, it was now at an end, and the meeting must proceed at their own pleasure. He said that he had issued his circulars to every republican member of both Houses; indeed, to every member, excepting *five* of the Senate and twenty-two of the House of Representatives. Nor should I have omitted them, said he, but that they have never been in the habit of acting with us. Mr. Giles moved that Mr. Bradley should take the chair; which he accordingly did. It was agreed that the members present should be counted, and Mr. Milledge and Mr. Varnum were appointed tellers. The number present was found to be eighty-nine. Mr. Bradley proposed the appointment of a clerk. Mr. Burwell and Mr. G. W. Campbell were successively chosen, and excused themselves from serving. Mr. Johnson, of Kentucky, was then chosen, and accepted. After some question whether there should be a viva voce nomination and a subsequent ballot, it was at last agreed to vote by ballot without nomination. On taking the ballots for the office of President, there were eighty-three votes for James Madison, three for James Monroe, and three for George Clinton. Before the ballot for Vice-President, Mr. Pope made a speech recommending unanimity for the choice of this office. The votes were seventy-nine for George Clinton, five for Henry Dearborn, three for John Langdon, and one for J. Q. Adams. The chairman then declared James Madison duly nominated, by a great majority of votes, as a candidate for the office of President, and George Clinton for that of Vice-President. A committee of correspondence was then chosen, consisting of a member from each State; but Connecticut and Delaware, not being present, had no members chosen. A resolution was then offered by Mr. Giles, and adopted, for publication, stating this nomination, and the reasons which induced the meeting to make it, after which the meeting adjourned without day, and I came home. Many of the persons who attended this meeting thought it precipitately called. Many refused to attend. The number present was a bare majority of the whole number of members. Twenty-seven federalists were not invited; about

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sixty others were absent, among whom were all the Virginian, or Randolph minority. Dr. Mitchell told me that Bradley's ardor in favor of Madison was stimulated by his personal views, and that he was now soliciting offices for his son, and for his brother-in-law, by the name of Atwater. From the appearances at the meeting I judged it to be called in concert, and probably at the instigation of the Virginian Madisonians, and particularly Messrs. Giles and Nicholas. I suppose their particular object to be to aid the canvass of Mr. Madison's friends for electors of President and Vice-President, which is now going on in the Virginia Legislature.

25th. Met the committee on the General Appropriation bill (Smith of Maryland, Bradley, and myself). We compared the appropriations with the estimates, and, after going through the bill, consented that the chairman should propose an additional item, of five hundred dollars for office rent and contingencies, to the Attorney-General. In Senate there was scarcely any business done, and an adjournment took place very early. I wrote and enclosed some papers to Mr. Plumer. The issue of the convention held on Saturday evening has produced many sour faces. I went into the House of Representatives, where I had only time to hear the yeas and nays twice taken on a bill for raising a number of seamen to man the gun-boats, and several successive motions for adjournment, the last of which succeeded.

26th. Met Mr. Giles's committee upon the penal laws, and sat upon it until four P.M. The Senate met and adjourned without our attendance. We proceeded upon our enquiries in a manner somewhat desultory, but still advancing towards our object. We settled some principles and agreed to the two first sections of the bill.

27th. In Senate I obtained leave for the committee on Colonel James Taylor's application to report a bill. The committee (Adams, Anderson, and Tiffin) had met and agreed upon the bill. It was received and passed to the second reading. I gave notice that I should ask leave to-morrow to bring in a bill to revive and continue the causes in the District Court of the District of Columbia. The resolutions for the ratification

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of the two Indian Treaties were unanimously adopted. Evening at home, reading the opinions of the Court upon Burr's trials, which I at length concluded.

28th. Met Mr. Giles's committee before the meeting, and after the adjournment, of the Senate. We sat again nearly five hours, and matured the subject before us so far as to be nearly prepared for the drawing of the bill. Mr. Giles gave me the sketch drawn by the Attorney-General respecting the admission of depositions in certain cases in criminal causes, with a request that I would draw up an additional section. In Senate, the bill reported by the committee on Colonel Taylor's application passed to the third reading, with a motion from Mr. Bradley to reduce the compensation to the witnesses from three dollars to one twenty-five, which failed. I introduced the bill to continue the causes in the District Court, which passed to a second reading. Very little other business was done. I received two anonymous letters from New York, with bitter abuse for my report on the case of John Smith.[1]

29th. The Senate barely met, confirmed the nomination of W. Boyd as Marshal of the District, and adjourned over to Monday. The immediate adjournment was to attend the funeral of Ezra Darby, a member of the House of Representatives from the State of New Jersey, who died yesterday morning. He was buried in a new cemetery near the Eastern Branch, by the side of my lamented friend Tracy, whose grave is the only one there, and brought affecting recollections to my heart.

30th. Attended Mr. Giles's committee on the penal laws. We made further progress, and agreed to the first draught of one bill, reserving part of our subject for future discussion and another bill. Mr. Bayard came in late, and seemed internally vexed at some part of the discussion which took place. We adjourned after three o'clock, to meet again on Tuesday. The other members having first left the committee room, I found myself alone with Mr. Giles. He then said, "Our friend Bayard appears out of humor to-day." Upon which I answered, "Yes; and he seems to me laboring under a violent internal

[1] They covered a very sharp review of that report, published in the columns of the New York Evening Post.

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struggle, between his fear of deserting his own party and his wish to join yours." Giles smiled, and said it was exactly so. He then gave me a history of Bayard's overtures from time to time during the whole course of this administration, to join in supporting them—all predicated upon one of two things, by way of consideration; the one, some personal accommodation of interest or of honor for himself; the other, upon some inducement for the State of *Delaware* to detach herself from the Eastern and join to the Southern interest. In the course of this story, Giles interwove some remarks which he probably meant me to understand. He said that as to their supposed inveteracy against federalists as such, he felt none of it; that the administration know the comparative weight of federal talents, and would gladly be aided by them; that he had always discountenanced Bayard's proposals for geographical party boundaries, and as to his personal views, had told him that he might rely upon his own talents, and be assured that under any administration which they should support they must be duly appreciated. Giles did not give me his opinion as to the correctness of these motives of Bayard, but he left me to form my own. They are, in my opinion, not sound moral or political principles. In remarking that the administration would willingly possess the aid of the federal talents, he said, "What aid do we derive from our supporters in the Massachusetts delegation in Congress? They are all worthy, respectable men—such men as we generally send ourselves—perhaps better—but they cannot be of much service to us. What aid do we derive from the State of Connecticut? We know that the weight of talent and character there would be useful to us, and have none of that inveteracy which is sometimes imputed to us against them."

To these parts of his remarks I made no reply. I believed them meant for me to make a particular application of them to myself. So far as they might be meant as a stimulant to any personal views of my own, I determined to be very explicit with Mr. Giles, but I thought it best to reflect upon what he said, and postpone my observations to another day. So far as they might be in the nature of overtures for conciliatory

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courses of policy between the Eastern federalists and the administration, I thought it a subject to converse upon with other gentlemen. I spent the evening at home, writing to my father.

31st. I stopped and had a long conversation with Mr. Dana upon public affairs. I mentioned to him the substance of that which I had yesterday with Mr. Giles, excepting the part relating to Mr. Bayard; and asked him to reflect upon it, and to inform me of the result, and whether he supposed any portion of the federal interest in our part of the Union could be reconciled to the present and probable future administration. Evening at home, still writing to my father. The Russian Manifesto against England was this day received.

February 1st. There was little business done in the Senate, and they adjourned early. Met Mr. Smith of Maryland, and Mr. Gilman, on a committee to whom was referred a petition from two persons by the name of Chase and Gardner, at Nantucket. After some conversation, it was agreed that I should call upon the Secretary of the Treasury for some papers in the case. Mr. Quincy asked me to have some conversation with him; which I did, at his chamber. He enquired into the motives of my late conduct in Congress, which I fully detailed to him. He said my principles were too pure for those with whom I was acting, and *they would not thank me for them.* I told him I did not want their thanks. He said they would not *value me* the more for them. I told him I cared not whether they valued me for them or not. My character, such as it was, must stand upon its own ground, and not upon the bolstering of any man or party. I fully opened to him my motives for supporting the administration at this crisis, and my sense of the danger which a spirit of opposition is bringing upon the *Union.* I told him where that opposition in case of war must in its nature end—either in a *civil* war, or in a dissolution of the Union, with the Atlantic States in subserviency to Great Britain. That to resist this I was ready, if necessary, to sacrifice every thing I have in life, and even life itself. I intimated to him that he would be called, perhaps ere long, to make the election which side he would take, too. He said he did not see the prospect in the same light, but, if he did, he

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should also be willing to meet that question when it came. He did not say which side he should take. The result of the conversation was an opinion on my part that he was too far pledged in opposition to retreat; and that his own idea was rather that of reclaiming me from the "*error of my ways*." We must wait with patience to see where the right is. I spent the evening at Dr. Thornton's with a large party. Had a long conversation with Mr. Casamajor, on the differences now in negotiation between Great Britain and us. Had also some conversation with Mr. Rose, whom Mr. Erskine formally introduced to me the second time.

2d. Met with Mr. Giles's committee at ten this morning. He had a bill drawn, but was waiting for copies to be made out for the members. We made some progress in discussing its various sections, and adjourned until Thursday morning, with the view of attending the Senate. But they too had met and adjourned. I now pointedly asked Mr. Giles whether he thought that sort of negotiation of Mr. Bayard, on personal considerations for himself and local advantages for his State, was a sound course of proceeding on moral and political principle. Giles evaded answering this question. He said that nothing had ever passed between them which could properly be termed a negotiation; that Bayard had been, he believed, more explicit with General Smith; that in his conversations with him, the most particular of which was last spring, at Daniel Clark's ball, he had indeed intimated a wish to coalesce with the administration, always connected with some views of personal aggrandizement for himself. He had said there were no prospects for *him* under this administration; that Mr. Jefferson *hated* federalists; but he hoped a new state of things would come with which *he* could be reconciled—a war, for instance; and within a few days he had suggested the same thing with regard to Mr. Madison's election. "I did tell him," said Mr. Giles, "that if he could find the views of public affairs of the administration such as he could cordially support, he might remove his residence to Philadelphia, and would very soon be at the head of the *Pennsylvania* delegation, which might place him in that rank and consideration to which he thinks himself entitled." I then

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observed to Mr. Giles, that as, from some observations he had made to me at our last conversation, I had supposed he might intend that I should apply to myself some intimations of a similar nature, I thought myself bound to be very explicit with him. That in any support I have given or ever should give to this or any other administration, I have been and shall be governed solely by public considerations, and the belief that the administration aims at the welfare of the nation. That I have no personal expectations or wishes whatsoever. He replied that he had often been asked by his friends in Virginia respecting me, and had uniformly told them that he believed I considered every public measure as I should a proposition in Euclid, abstracted from any party considerations, and that was the reason why he thought that since we have been together in Senate there were perhaps no two members who so often voted together as he and I. There was a good deal more of conversation between us, but none which I deem it now necessary to write down. It was on my part entirely without reference to myself; on his it had possibly some meaning. He said he believed the present Vice-President would serve again in that office; but if he did not, *he* should have no objection to select an *Eastern* gentleman; that as to De Witt Clinton, who was said to be the greatest political intriguer in the United States, nothing could induce him (Giles) to support his pretensions; that Mr. Lewis, the late Governor of New York, was expected here in a day or two, though he did not know for what; that with respect to Mr. Madison's election, *he* had no personal views of his own to promote; that he had never said a word to Mr. Madison about it, for he should have thought it indelicate; and he believed the same of Colonel Nicholas.

The result of the whole conversation in my mind is this: Giles and Nicholas are the managers for Madison's election in the two Houses. Giles has been working with me and with Bayard much in the same way—opening to our views personal expectations and flattering prospects to engage us with them. Bayard, who (as I told Giles) *lacks advancement*, has more than met him half way, and will eventually make his bargain. Giles was somewhat unexpectedly met, and probably not well

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pleased with my direct and explicit denial of any personal views by which any administration could take hold of me. But he still perseveres in touching strings which he thinks will vibrate internally for his purposes. Giles understands his business. And it is no small part of his address to manage as he does his political coquetting between Bayard and me. By setting us upon one another, he is sure to draw strength from our weakness. This also explains to me that bitter and unrelenting virulence with which Bayard is always seeking opposition to me. He thinks to recommend himself to Giles by his virulence against me. Giles's conversations have clearly shown his motives. I had been much surprised at it before, and found it utterly unaccountable. I intimated something of this opinion to Giles, and he assented to it. Bayard formerly carried on the same struggle against Giles himself. But since Giles has been in such a triumphant majority, that is, ever since we have all been in Senate together, Bayard has invariably cowered before Giles, and sought his consolation in pecking at me. I spent the evening with the family at Mr. Erskine's, where there was a ball. I attended a few minutes this morning in the Supreme Court.

4th. Met Mr. Giles's committee on the amendment of the penal laws. We agreed to report one bill (in part), and reserve another part of the subject for further enquiry. That part relating to evidence remains still to be acted upon. The Senate met and adjourned while we were sitting in committee. We sat until near four o'clock in the afternoon.

5th. Met this morning three committees, and agreed to their reports: one on an application from Mr. Latrobe, the architect; one on the Naval Appropriation bill; and one on the bill to erect a light-house on Point Judith, Rhode Island. The reports were made and acted upon in Senate. Mr. Giles's bill was also reported and passed to the second reading. Dr. Mitchell presented a *Yazoo* petition from New York. Mitchell has always before been on the other side of this question. The Georgia members objected against *receiving* the petition, upon which a debate arose, and the question was taken by yeas and nays—twenty-two to three; the members from Georgia, and Mr. Moore, of Virginia, alone voting against receiving it. Mr.

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Giles supported them in a speech, but left his seat, apparently to avoid voting. I supported the reception of this petition, because I know that those people are suffering injustice, and think that they ought to have justice done them. But this particular petition I consider as an electionering manœuvre of the Clinton party, and it will embarrass the supporters of Mr. Madison.

13th. I met the committee on the bill supplementary to the Non-Importation Act. Mr. Smith of Maryland (chairman) and Dr. Mitchell were the other members. Mr. Newton, the chairman of the Committee of Commerce and Manufactures, was with us, and proposed the introduction of several amendments which he had not had time to carry through the House before the bill passed there; but we did not agree to them. We determined to report the bill without amendment. There were at the Capitol several members of both Houses, and Mr. Giles appeared much exasperated at a threat which has appeared from Mr. Monroe, of publishing another book—an electioneering book, to defeat Madison's election and promote his own. Giles says he told Mr. Jefferson it would end in that, long since, and that he would after his return home pursue a course of conduct which would lead to his own destruction or to that of the administration.

Mr. Cook, of the House of Representatives, asked me for some private conversation; and then told me that many of the Eastern members were disgusted at the state of degradation and oppression in which the interests of that part of the country were kept by these negro votes (as he called them). He said that Mr. Story was here, and very much hurt at the refusal of the House yesterday to hear him as counsel for the *Yazoo* claimants. And he asked me *what was to be done.* I told him that before any thing could be done by way of concerted operation for retrieving that weight in the national councils to which we were justly entitled, it would be necessary that we should understand one another, and be sure that we could harmonize among ourselves; that I had little intimacy with the members of his general political opinions; that our weakness was the necessary consequence of our divisions; that

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unless these could be healed it was idle to think of attempting any thing; that if a disposition to that object existed, I should be glad to contribute my aid for effecting it, and I should readily converse with any gentleman who wished it on the subject. He said he would commit to paper his ideas, and mention there the names of the gentlemen whose co-operation to that end might be relied on. If this matter should be pursued any further, I shall be very cautious how I proceed. The object and tendency of the thing is not yet sufficiently apparent. I see enough, however, to put me upon my guard. Il faut voir venir. I attended a short time in the Supreme Court, where all the judges were present, hearing Mr. Martin.

15th. Mr. Bradley told me he had a letter from Boston, which mentioned that the federalists in Massachusetts would acquiesce in the nomination of Mr. Madison as President, but not in that of Mr. Clinton as Vice-President—that they would prefer *Mr. Langdon.* I doubt the correctness of this information.

16th. Mr. Giles's penal bill was further postponed until Thursday next. A bill for altering the law of the last session establishing the Seventh Judicial Circuit was taken up as in committee of the whole, and, after some remarks, postponed until to-morrow, at my request.

Mr. Giles proposed a resolution for the appointment of a committee to enquire whether the Supreme Court have authority to issue writs of habeas corpus, &c. The consideration of this motion was also postponed, at my request.

18th. The committee on Mr. Tiffin's Seventh Circuit Judicial bill met this morning. Mr. Tiffin, Mr. Anderson, Mr. Bradley, and myself attended. Mr. Pope, the other member, was absent. The committee agreed to report that the first and third sections should be stricken out. Mr. Anderson, Mr. Smith of Tennessee, and myself also met on the bill making appropriations for the Indian Treaties, and agreed to report it without amendment. In Senate, the Treason bill was again postponed, until next Monday. Mr. Giles's motion for a committee to enquire whether the Supreme Court have power to issue writs of habeas corpus was considered, and, after some debate, adopted, with an amendment proposed by me. Met the committee on

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the resolution for selling the North Carolina charts. I am to call at the Treasury office on the subject. I was a few minutes in the House of Representatives.

23d. On taking my seat in Senate this morning, I found a Philadelphia newspaper of the 19th (Jackson's Political Register) directed to me, and laid on my table, containing a letter from this place, full of falsehoods and abuses against me by name. The writer insinuates that he is a member of Congress, and refers to Mr. Lewis, a member from Virginia, for his name upon certain *conditions*. But the charges against me are merely of a ridiculous character, and, in every particular stated as fact, false. The object of the writer is obviously to get himself into notice by seeking a controversy with me. I had some doubts whether I should not call upon Lewis for the author's name, but concluded, after some reflection, that it would be giving him too much consequence. The danger of once undertaking to answer newspaper falsehoods is, of involving yourself in a sort of obligation always to answer, which would be endless. On consulting Mr. Anderson, he concurred entirely in this opinion. There was little business done in Senate. Mr. Giles's bill was postponed until to-morrow.

26th. There were two messages received this morning from the President: one confidential, enclosing dispatches from Mr. Pinckney, at London, and Mr. Armstrong, at Paris; the other recommending an immediate levy of six thousand men in addition to the army, and a corps of twenty-four thousand volunteers. The Vice-President, not remarking that the first message was marked on the cover *confidential*, suffered all the papers to be read without closing the doors. The army message was referred to a select committee. From the tenor of Mr. Pinckney's dispatches, war with Great Britain appears inevitable. They were, however, so satisfactory with respect to his conduct that Mr. Bradley withdrew the motion he had yesterday made, to ask for the Treaty and other papers, and the nomination was confirmed by a unanimous vote.

27th. At eleven met the committee on the President's army message of yesterday. The members are Giles, Sumter, Smith of Maryland, Bradley, and myself. We had some discussion

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upon the plan recommended in the message, and agreed upon consulting with the Secretary at War by personal interview; then adjourned to Monday morning. I wrote to Governor Sullivan, and enclosed to him a copy of the army message. Went into the House of Representatives, and heard a debate on the third Embargo bill, which passed to a third reading. Mr. Gardenier's speech this day last week on this bill, part of which I heard, has given occasion to some disagreeable occurrences. On Monday, three members of the House, Johnson, of Kentucky, Campbell, of Tennessee, and Montgomery, of Maryland, replied to what he said by such direct and personal invective that a challenge of Mr. Campbell, if not also of Mr. Johnson, ensued. Mr. White and Mr. Eppes, the two seconds, have been making the formal arrangements and selecting the ground, just beyond the line of the District, with much publicity. This morning they all went out, and with such general notice that a crowd of one or two hundred persons are said to have followed them to the selected spot, where they were finally separated by the magistrates of the District and of the neighboring county of Maryland.

29th. Met at ten this morning Mr. Giles's army message committee. The Secretary at War attended, and gave such explanations of the plan as he supposed proper. He took offence at some remarks of Mr. Bradley upon it. We agreed, however, to report the bill for raising immediately six thousand men, and Mr. Giles accordingly reported it. There was little other business done in Senate, and they adjourned very early.

March 2d. Mr. G. W. Campbell and Mr. Gardenier this morning fought their duel, in which the latter was badly, if not mortally, wounded.[1] Mr. Campbell afterwards took his seat in the House of Representatives as if nothing had happened. Mr. White did not make his appearance in Senate, and Mr. Bayard, after attending a few minutes, went out to visit his unfortunate friend. The Senate was engaged all the morning upon the

[1] He survived the wound, and continued in Congress until 1811. This period was marked by a degree of personal irritation between the individual members of the two parties rarely exceeded in our legislative history.

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bill for raising six thousand men, the details of which were discussed, and some amendments to the bill were adopted.

3d. The committee on the third Embargo bill—Smith of Maryland, Hillhouse, and myself—met, and discussed some amendments. Adjourned to meet again to-morrow. In Senate, the bill for raising six thousand additional men was resumed, further considered, and recommitted.

I dined with Mr. R. Smith, the Secretary of the Navy. Judges Marshall, Johnson, and Livingston, Mr. Giles, several members of the House of Representatives, and several naval officers, were there. General Smith, his lady, and daughter, came after dinner. I had some conversation with Mr. Nicholas, who appeared very anxious respecting the rumors in circulation that our administration is under French influence. He asked me to speak to the President on the subject. Mr. Robinson, the Senator from Vermont, also hinted to me this morning a wish that I would call on the President.

4th. The committee on the third Embargo bill met, and agreed on some amendments, which the chairman reported. The committee on the bill for raising six thousand men also met, and reported several amendments. The chairman, Mr. Giles, was by illness unable to attend. The Senate adjourned early, and I know not upon what they were engaged, for Mr. Nicholas asked for some conversation with me in the committee room of the Senate; to which we accordingly retired. He then expressed much anxiety respecting the present state of affairs, and particularly respecting the rumors of French influence as predominating in the administration. He was very solicitous that they should be refuted; declared they were entirely destitute of truth, and requested me to ask the President himself, who would be pleased to give me a direct answer on the subject. I told him that the jealousies and suspicions among my friends and neighbors were founded on a variety of circumstances, which gave them color and which were not easily susceptible of refutation. I then told him of a letter I had seen early last summer from the Governor of Nova Scotia, asserting that the British Government were informed of a plan determined upon by France to conquer the British Provinces on

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this continent and form a monarchy of them under General Moreau, and at the same time to introduce a more monarchical government in these States; all which was to be effected by means of a war between this country and Great Britain. This story, combined with many recent occurrences, was a source of distrust which could not without difficulty be removed. He disclaimed all knowledge or belief of such a plan, and supposed its objects to be merely a British device to divide and distract us. We had a conversation of perhaps a couple of hours: he asked me whether he might make use of the information I had given him; to which I assented, so far as that no names might be implicated.

Some time afterwards Mr. Pope came to me and asked me to introduce a bill to continue the act of 3d March, 1805, and the President's proclamation under it. He said the House would not pass the bill which we had passed early in the session, to reinforce that act; for they would not arm the frigates and agree to the *torpedo* system; but they wanted the remainder of the bill. I told him that the House might strike out then what they disliked, or introduce a bill themselves to continue the act. It would be inconsistent in us, and particularly in me, to bring forward such a bill while the other was before the House; to which he assented.

5th. I called this morning, on the suggestion of Mr. Robinson and Mr. Nicholas, and left a card at the President's. He was engaged with the heads of departments, so that I could not see him as I wished. I called also at the Treasury office, to see the Secretary, Mr. Gallatin, to show him the bill I have reported for issuing certain debentures, which is now at the second reading, and to be taken up next Tuesday. Mr. Gallatin being, however, with the President, I did not see him. I left a copy of the bill with Mr. Sheldon to put into his hands, with a request that he would examine it and propose such alterations or amendments as he might think proper. I likewise called at Mr. Rose's lodgings, but he was not at home.

7th. The question was at last taken in the Senate on striking out the first section of Mr. Giles's Treason bill—seventeen to fifteen against striking out. The bill was then recommitted,

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and two new members, Mr. Pope and Mr. Franklin, added to the committee. The third Embargo bill passed as amended to the third reading, without opposition. Mr. Smith of Maryland wished to have it read the third time this day, which was negatived by Mr. Pickering. The amendment to the bill from the House, for remitting the duties on the monument imported by the naval officers, was agreed to by yeas and nays—eighteen to twelve.

11th. Met the committee on the Debenture bill. Mr. Bayard produced an amendment, which was in substance a new bill. With some slight alterations, to which Mr. Bayard was very averse, the majority agreed to report this amendment, but still subject to the decided opposition of Mr. Bradley and Mr. Anderson. The Marine Militia bill was debated as in committee of the whole at the second reading, and, after proposed amendments by Mr. Bradley, was postponed to the first Monday in December next, on the motion of Mr. Bayard. I took no part in the discussion, and voted for the postponement. In executive business, the Cherokee Treaty was referred to a select committee. Adjourned about two o'clock. I went into the House of Representatives, where they were debating a bill to authorize courts of enquiry and courts-martial to compel the attendance of witnesses. Heard Mr. Rowan and Mr. Love on the two sides of the question.

12th. Met this morning the committee on Mr. Giles's penal bill. To the five former members two new ones are added, Mr. Pope and Mr. Franklin. It was agreed, after some discussion, to strike out the two treason sections, and various other amendments were agreed to. The committee are to meet again on Monday morning before deciding upon the report. After the committee had adjourned, I had some conversation with Mr. Giles, in which I communicated to him the same information which I had last week given to Mr. Nicholas. Mr. Giles desired me to give it to Mr. Jefferson. I enquired of Mr. Coles whether the President would probably be disengaged this evening; but he said he would have company to dine, and be detained perhaps until late. In the evening I received a letter from Joseph Hall, in great alarm at the state of affairs; also

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an anonymous letter from Cincinnati containing great commendations upon the report in the case of John Smith.

14th. Met the committee on Mr. Giles's penal bill at ten this morning. I presented a new section to be substituted for one in the bill, which was agreed to, and the chairman authorized to report. Met also the committee on the Cherokee Treaty. The chairman, Mr. Anderson, and Mr. Tiffin agreed to report a ratification, to which I did not assent, thinking that some enquiry should first be made into the merits of the remonstrance from several of the tribe against this Treaty. In Senate, the bill concerning contracts was under consideration. General Smith of Maryland offered an amendment, and the bill was laid over until to-morrow. Some other bills were also postponed. In executive business, the nomination of Governor Hull was further delayed; and also that of Reuben Atwater (Mr. Bradley's brother-in-law) as Secretary of the Territory of Michigan, on a question whether it ought to be confirmed until the late Secretary, Stanley Griswold, has been removed.

15th. The consideration of the report in the case of Mr. Smith of Ohio was this day resumed, and his counsel moved for further time, until the first Monday in April; which, after some debate, was negatived by yeas and nays—seventeen to fifteen. At the request of his counsel, the subject was then postponed until to-morrow, they not having their papers ready. The Debenture bill, as amended, passed to the third reading, Mr. Bradley declaring his determination to oppose its final passage. In executive business, the Cherokee Treaty was considered, and postponed until the next session. Adjourned about three. In the evening I called upon the President and gave him the information respecting the letter from the Governor of Nova Scotia which I saw last summer. He assured me there had never been any negotiation on the subject with France, and that France had never intimated a wish that we should join her in the war. He appears convinced, however, that the British Government do not now intend immediate war with us.

16th. The counsel of Mr. Smith of Ohio this morning renewed their application for further postponement of the report until the first of next month; which, after some debate, was

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carried by yeas and nays—seventeen to fifteen. The penal bill was taken up, and some debate upon it had, until the adjournment. I received another anonymous letter, dated at Boston, and also Mr. Pickering's printed letter to Governor Sullivan.[1]

17th. Met this morning the committee on the bill concerning courts-martial and courts of enquiry—Mr. Giles and Mr. Gregg the other members. We discussed the general principles of the bill, but did not examine the detail. Adjourned to meet again to-morrow. The principal occupation of the Senate was on the penal bill, in which some further progress was made, and the discussion closed on the second reading.

19th. The Senate yesterday adjourned over to Monday; but I attended this day on two committees—the first upon Mr. Giles's Habeas Corpus resolution. Mr. Giles, Mr. Bradley, Mr. Anderson, and myself were there. Mr. Crawford, the other member, did not attend. After a desultory discussion, it was finally determined that the chairman should draw up a bill, to present at the next meeting of the committee, to be founded on the English statute of 31 Charles II. The other committee was on the Court-Martial bill. We agreed upon several amendments to be reported on Monday. I went into the House of Representatives, and heard them debating on the Army bill. They soon adjourned. Sloan, the Quaker member from New Jersey, came and said he was now for George Clinton as President, and James Monroe for Vice-President, though he had voted for Mr. Madison at the meeting. William Duane, he said, was coming out in the Aurora very strong for Madison; but Clinton and Monroe would be elected. I spent the evening at home, writing. As I went to the Capitol this morning I met Mr. Quincy, who turned about and walked back with me. Mr. Livermore, after making yesterday a motion in the House of Representatives to raise the embargo and suspend

[1] The title of this pamphlet of sixteen pages is, "A Letter from the Hon. Timothy Pickering, a Senator of the United States from the State of Massachusetts, exhibiting to his Constituents a View of the Imminent Danger of an Unnecessary and Ruinous War. Addressed to His Excellency James Sullivan, Governor of the said State." Boston, published by Greenough & Stebbins, 1808.

It was the first public manifestation of the differences of opinion on great public questions between the two Senators from that State.

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intercourse with France and Spain, which was refused to be considered, eighty-two to twenty-four, went off home this morning without giving notice to anybody at his lodgings. Mr. Rose's negotiation closed.

22d. On my arrival in Senate I found the message from the President had been received, containing the copies of all the negotiations with France and England for two or three years. The papers are very voluminous. We read until nearly four o'clock, and adjourned without doing any thing else.[1]

23d. Met Mr. Giles's committee on the Habeas Corpus this morning at ten. We sat until half-past eleven, discussing a bill which the chairman had drawn, but we came to no conclusion, and are to meet again to-morrow morning. In Senate, the reading of the papers was resumed, and continued until nearly four o'clock; when, after passing the Militia bill without debate, we adjourned. All the confidential papers were this day read. I spent the evening at home, very busily engaged.

24th. Met the Habeas Corpus committee again this morning. It was agreed that the chairman should report his bill, with only my voice dissenting. My objection was to a section taking from the Supreme Court of the United States the power of issuing the writ. In Senate, the reading of the papers was resumed, and continued until near four o'clock.

25th. In Senate. Mr. Maclay offered a resolution in executive business to ask for papers respecting Governor Hull, which, after some debate on the form, was adopted. The reading of the papers was resumed, and continued until past three P.M. Three other short messages were received from the President. A bill was passed to the third reading, and no other business done. The Vice-President spoke with much indifference about the papers now reading, which he considered as of no consequence. Mr. Giles and Mr. Anderson were anxious to exclude from the publication Mr. Monroe's exposition of the rejected Treaty, written since his return home. Electioneering in everything.

[1] These papers embraced the whole record of the negotiations by Messrs. Monroe and Pinckney with the government under Mr. Fox, and afterwards successively with Lord Grenville and Mr. Canning; resulting in a Treaty, which, proving unsatisfactory, was not ratified by the administration of Mr. Jefferson.

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26th. In Senate. The reading of the papers was continued and almost finished. The unratified Treaty and the whole correspondence respecting its negotiation has been read, including a letter from Mr. Monroe to the Secretary of State, written since his return home, to vindicate his own character from unjust imputations for signing the Treaty. There are only some old papers of 1804 left.

27th. At the Capitol, Mr. Gilman took me aside and showed me a letter from Dr. Eustis, requesting that I would permit the publication of one of my last letters to Mr. Joseph Hall—which, without absolutely refusing, I declined. I mentioned to Mr. Gilman that I had a formal answer to Mr. Pickering's letter in preparation, addressed to H. G. Otis; that I had only to copy it; and that, unless there were some peculiar reason for Eustis's wishing that the letter to Hall should appear, I desired him to say that in a few days he would have a reason for my objection, which I believed would be satisfactory to him.

29th. There was little business done in Senate. Since the reading of the dispatches there appears a great listlessness upon subjects of minor importance. After the adjournment I went for a short time into the House of Representatives. They were on the Post Office bill. It seems the President has given an extra-official hint that he does not much apprehend war, and that the number of troops the House were raising would not all be wanted. So they have already reduced it from ten to six thousand.

30th. Met this morning Mr. Giles's committee on the Public Contract bill. The members, besides the chairman, are Smith of Maryland, Thruston, Anderson, and myself. We compared the bill from the House, and General Smith's amendment as proposed, with the English statute of 22 George III., chapter 45, and finally agreed that the chairman should draw a new bill, to be selected from them all. In Senate, messages from the President were received, with further dispatches both from France and England, more menacing than any before received. The Court-Martial bill was considerably discussed, but postponed without any question taken.

31st. I finished my letter to H. G. Otis for publication, and,

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before I sent it away, showed it to Mr. Anderson for his opinion whether there was anything in it that ought to be struck out —in particular, whether it treated my colleague, Mr. Pickering, with sufficient delicacy. He returned it with commendation, and without suggesting any alteration. I enclosed it to W. S. Shaw, with a request that he would get it printed immediately. I also wrote a few lines to H. G. Otis, mentioning this letter to him, and my motives for sending it to Shaw for publication.

In Senate, the nomination of Governor Hull was taken up, and his appointment confirmed—eighteen to ten. I was absent at the time, and not very solicitous to be present. I had, under the circumstances, no small reluctance in voting either for or against him. My Debenture bill, as amended by Mr. Bayard, was discussed at the third reading, and a motion for postponing it to the next session of Congress was carried by yeas and nays—fifteen to fourteen. Adjourned. The step I have this day taken, of publishing my letter to H. G. Otis, will be to me of the first importance.[1] It will not be without importance to the nation. It was taken from a strong sense of duty. That it will increase the difficulties and dangers of my situation I am fully aware. That it will bring upon me the fury of all my former enemies, and a host of new ones, I perceive. I ask aid from above to support and pass me through this ordeal. As my act has been deliberate, and will probably involve further controversy, I pray for intrepidity, perseverance, temperance, justice, and fortitude.

April 1st. This day Mr. Harper and Mr. Key, the counsel of Mr. Smith of Ohio, appeared, and, expecting daily his arrival, commenced reading the depositions in the case. They applied for subpœnas for Messrs. Morrow, Sturges, and Davenport, of the House of Representatives, and also for General Wilkinson; but, not wanting them immediately, this request was postponed. They proceeded to read a great number of depositions, all

[1] This letter was published in a pamphlet of thirty-two pages, under the following title: "A Letter to the Hon. Harrison Gray Otis, a Member of the Senate of Massachusetts, on the Present State of our National Affairs; with Remarks upon Mr. Pickering's Letter to the Governor of the Commonwealth. By John Quincy Adams." Several editions were printed, and many thousand copies circulated.

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tending to discredit the character of Elias Glover, until four o'clock, when the Senate adjourned until ten o'clock to-morrow morning. Several questions were raised and discussed; and we have the promise of a fortnight's work before we can expect to finish the business.

2d. The counsel of Mr. Smith of Ohio were further heard, and read a great number of depositions to discredit the testimony of Elias Glover, and a few with a view to discredit Peter Taylor and Colonel James Taylor. It was almost four o'clock when the Senate adjourned.

4th. Mr. Smith of Ohio this morning returned, and took his seat by the side of his counsel. They continued reading their testimony, and, after they had concluded, the depositions sent by Elias Glover in defence of his character were also read. The subject was then postponed until to-morrow, for the argument of Mr. Smith's counsel.

5th. Mr. Smith's counsel examined this morning several members of Congress to the character of their witnesses against Elias Glover. Mr. Key then, in an ingenious argument of four hours, commenced his defence; immediately after which the Senate adjourned.

6th. Met at half-past nine this morning the committee upon the Chesapeake message from the President. Messrs. Anderson, Giles, Smith of Maryland, and Bradley are the other members. After some discussion, it was agreed that the chairman, Mr. Anderson, and Mr. Giles should confer with the Secretary of State, that there may be an understanding and concert between the measures which may be proposed to Congress and those which have been taken by the Executive. In Senate, after an examination of Messrs. Russell and Gardenier, of the House of Representatives, to the characters of several witnesses, Mr. Harper, as counsel for Mr. Smith of Ohio, made a speech of about three hours and a half. He, as well as Mr. Key, attacked the principles of the report of the committee with great force. He also commented with much ability upon the testimony, and examined all the points of evidence which he thought likely to operate against Mr. Smith. After he finished, the consideration of the report was postponed until to-morrow.

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The bill which was originally the Treason bill, now changed into a bill for the punishment of certain crimes, was finally passed, by a majority of eighteen to twelve.

7th. The consideration of the report of the committee on the case of Mr. Smith of Ohio was, after some discussion, postponed until to-morrow. Mr. Smith of Maryland offered a resolution to request of the President certain letters of Matthew Nimmo. This resolution was adopted. The bill concerning courts-martial and courts of enquiry was debated as in committee of the whole, and a variety of amendments proposed. None of them, however, were adopted, and no question taken on the bill. Adjourned after four.

8th. The case of John Smith of Ohio was again taken up, and, after some discussion how the question should be taken, Mr. Franklin moved that the Senate should take into consideration the resolution of expulsion with which the report concludes. This was agreed to, and I made a speech of nearly four hours on the question. I could not do justice to the subject. There is no occasion upon which I feel with so much humiliation the insufficiency of my own powers as in these elaborate but extemporaneous speeches. I spoke, however, more successfully than I had a right to expect, and with considerable impression, even where it was unwelcome.[1] Mr. Giles immediately moved that the further consideration of the resolution should be postponed until to-morrow; which was done. The Court-Martial bill was then taken up; but it was late, and not much progress was made in its discussion. Adjourned about four. S. H. Smith, the editor of the National Intelligencer, asked me to give him a copy of my speech, which I promised him, as near as my recollection would serve. Evening at home, and very hoarse.

9th. This morning, on the meeting of the Senate, the case of Mr. Smith was immediately taken up, and Mr. Hillhouse, in a speech of about two hours, renewed his attacks upon the report of the committee and upon my argument of yesterday. He also

[1] A portion of the speech is found reported in Benton's Abridgment, vol. iii. pp. 573–584, as are also those of the other gentlemen referred to as taking part in the debate.

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was very decided in favor of Mr. Smith. His speech would have made little impression; but Mr. Giles, in one of the most animated and eloquent speeches I ever heard him make, declared himself not against the principles of the report, for he expressed his entire concurrence in them, but against the resolution for expulsion. He argued the cause of Mr. Smith with all his eloquence, and returned to the charge with increasing warmth until the last moment. Mr. Pope also made a very strong speech in Smith's favor. Mr. Anderson and Mr. Crawford supported me with ability on the other side. The question was taken near five o'clock in the afternoon, and the yeas and nays on the resolution for expulsion stood thus:

YEAS.	YEAS.	NAYS.
Adams.	Matthewson.	Giles.
Anderson.	Milledge.	Goodrich.
Condit.	Moore.	Hillhouse.
Crawford.	Robinson.	Howland.
Franklin.	Smith of Maryland.	Pickering.
Gaillard.	Smith of Tennessee.	Pope.
Gilman.	Sumter.	Reid.
Gregg.	Tiffin.	Smith of New York.
Kitchell.	Turner—19.	Thruston.
Maclay.		White—10.

As the concurrence of two-thirds of the members is necessary to carry a resolution for expulsion, this was lost by a single vote; Dr. Mitchell and Mr. Bradley were both absent, doubtless intentionally; unwilling to vote on either side. This is sometimes called bolting, and sometimes flying the course. The Senate immediately adjourned, but Mr. Smith, as I heard from General Sumter, had already resumed his seat. I did not see him. I went with General Smith of Maryland to the President's, where we dined. We found Dr. Mitchell there, and he made some sort of apology to General Smith, who reminded him of his absence when the question was taken. He said he *thought* the question would not have been taken to-day; that if he had been there he should have voted *for* the resolution. His vote would have carried it. General Smith told me, as we were riding to the President's, that Giles had carried off Pope and Thruston, and that he had taken

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pains out of doors to bring him over, and General Sumter. I saw him also endeavoring to influence Mr. Gaillard and Mr. Milledge, whom he urged until they were displeased. He told me further that Mr. Smith of Tennessee had the day before yesterday *agreed* to vote against the resolution, but that my argument of yesterday had convinced him. I feel so much personally for the man and his family, that perhaps no issue of this transaction could have been more agreeable to me. He retains his seat, but his conduct is sufficiently reprobated by the state of the votes. The duty which I have discharged was imposed upon me much against my will, and I have discharged it to the best of my power.

11th. There was much business dispatched in Senate this day, but very little debate. The Habeas Corpus bill was postponed until the next session. The bill concerning public contracts passed to the third reading. The resolution from the joint committee, for closing the session the twenty-fifth of this month, was adopted by both Houses. I reached the Capitol this morning rather later than usual, and found the Senate in session. The Vice-President had been formally complaining of the President for a mistake which was really his own. The message of the twenty-sixth of February was read in public because the Vice-President on receiving it had not noticed the word "*confidential*" written on the outside cover. This has been told in the newspapers, and commented on as evidence of Mr. Clinton's *declining years*. He thinks it was designedly done by the President to ensnare him and expose him to derision. This morning he asked Mr. Otis for a certificate that the message was received in Senate without the word "confidential;" which Otis declining to do, he was much incensed with him, and spoke to the Senate in anger, concluding by saying that he thought the *Executive* would have had more magnanimity than to have treated him thus. This scene happened before I took my seat. Mr. Smith of Ohio resumed his seat.[1]

12th. I received instructions from the Legislature of Massa-

[1] Mr. Smith found the weight of opinion, as expressed by the vote of the Senate, too strong for him to remain there with any satisfaction. He therefore resigned his place soon afterwards, affirming his innocence all the while.

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chusetts respecting the amendment to the Constitution to make the Judges removable by address of the two Houses. I presented them, and, on motion, they were ordered to be printed and referred to Mr. Tiffin's committee. I made report also respecting the letters, report, and documents on the subject of roads and canals from the Secretary of the Treasury, for twelve hundred copies to be printed; and I offered a resolution requesting the Secretary of the Treasury to transmit, franked by mail, six copies to each member of Congress, after the close of the session. Both these resolutions were adopted. I asked leave to bring in the bill for the relief of A. McCall and others, which Mr. Bradley opposed with great earnestness. I had no expectation of opposition at this stage, as I have never known any objection made to leave for bringing in a bill. I did, however, obtain it, though it will doubtless be to little purpose. The Public Contract bill passed—twenty-one to four. Mr. Hillhouse read a dissertation of nearly two hours in length, to introduce several articles of amendment which he proposes for the Constitution of the United States.[1]

13th. A variety of business was done in Senate, but none which occasioned much debate. The Court-Martial bill, after having once passed to a third reading, was again taken up as at the second, and amended; after which it passed to the third reading.

After the adjournment, Mr. Anderson's committee on the negotiation message met, and considered a proposition for authorizing the President to suspend the Embargo during the recess of Congress, if circumstances to justify the measure should occur. I submitted a proposition for prohibiting all intercourse with France, Spain, Holland, and Great Britain, and repealing the Embargo with respect to the dominions of all foreign States not having issued decrees in violation of the laws of nations against us. This was rejected. I then proposed that the President should be authorized to suspend the Non-Importation Act as well as the Embargo. This was agreed to.

[1] These amendments shortened the terms of service of the members of both Houses, and provided that the President should be annually selected by lot from the members of the Senate.

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14th. The Court-Martial bill was debated at the third reading, and passed, as amended, by a considerable majority. My bill for the relief of Mr. McCall and others was referred to a committee, at the second reading — Mr. Bradley, Mr. Reid, and myself. Mr. Dana called me out from the Senate, and I had a couple of hours of conversation with him, principally respecting certain propositions for the arming of merchant vessels in concert, and for requiring a certain proportion of American citizens on board of our vessels.

15th. Mr. Crowninshield, a member of the House of Representatives from Massachusetts, died this morning; which being communicated to both Houses, they adjourned at an early hour. The committee on the foreign documents met. At their last meeting, Mr. Giles suggested the propriety of consulting the Secretary of State, for the purpose of harmonizing with the Executive on the principles of the report to be made. Mr. Anderson, the chairman, now produced the sketch of a report ready drawn by Mr. Madison, which he had requested might be modified by the committee so as to make it their own. Mr. Giles observed that Mr. Madison particularly requested that I would revise it, and make any alteration or addition I thought proper. I made one alteration and one addition, to which Mr. Anderson, the chairman, assented. Mr. Giles hinted to me that the reason why he had proposed applying to Mr. Madison was because he doubted our chairman's competence to draw up a proper report on a subject of so much delicacy and difficulty. Mr. Anderson and myself agreed upon the report, to be made to-morrow morning.

16th. The remains of Mr. Crowninshield were this morning sent away to Baltimore, to be transported to Salem. Both Houses attended the funeral a short distance on the Baltimore road. They adjourned for that purpose from ten o'clock until noon. The Vice-President took leave of the Senate for the remainder of the session. Mr. Smith of Maryland was, on a second trial, chosen President pro tem. Business was dispatched with great rapidity. There was a debate at the second reading of the bill authorizing the President, on certain contingencies, during the recess, to suspend the Embargo; which,

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however, passed to a third reading—as did my bill for the relief of Joseph Summerl and others; though not without difficulty.

23d. In Senate, the business is dispatched so fast, and received so slowly from the House, that we adjourned this day from about two to five o'clock; and soon after meeting then, again adjourned. I dined with the Speaker, Mr. Varnum, at his lodgings. There were several members of both Houses of Congress—some, lodgers in the house; and others invited guests—Mr. Milledge and Mr. Robinson, Messrs. Cutts, Jones, Macon, Fisk, Witherell, Findley, and some others. Mr. Gilman this day spoke to me, with intimations that it was the wish of several gentlemen with whom he had conversed to *bring me forward* in some active and distinguished station; but that it was wished I would take occasion, either in some speech or in some written publication, to express my sentiments with respect to the practicability of our present form of government, as, from some of my writings, published before I went to Europe, there were persons who thought me inclined to favor a Constitution approaching nearer to the monarchical form. I told him I would reflect upon the suggestions, but my present impressions, which I did not think likely to change, were these. I was sworn to support the Constitution of the United States. I would support it to the utmost of my power, and with perfect sincerity. I had during the present session of Congress, to say nothing of preceding dates, pledged more to support it, in my own opinion, than any other man in the Union. I had sacrificed to it the favor of the party which had placed me in my present station. I had therefore not only the common stake of others who support the administration, but the responsibility of appearing to abandon my own party; and was liable to all the obloquy which such desertion carried with it. My motive for it was to support the Constitution as I had sworn. I had therefore taken an active part in the public affairs, both foreign and domestic; and to the best of my ability endeavored to defend it against its enemies, external and internal. But I had not set one party at defiance, in this conduct, for the purpose of making myself the instrument of another. That as to my speculative opinions upon the practicability of

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our present Constitution, I had my doubts whether, in case of a *war*, it would get along in its present form. I believed it would become more democratic. With regard to the theory of government, I had not for many years read over any of the papers written by me and published before I went to Europe; but I was not aware of any one sentiment or opinion contained in them that I would now retract. That, as to my being brought forward in a conspicuous station, I certainly did not think it a desirable thing. There was not a place in the gift of the people, or of the Executive of the United States, or of my own State, for which I had the slightest wish. That to be *dismissed* from the place which I now am in would doubtless occasion a moment of personal mortification, for which, however, my mind was made up, and which would be more than compensated by the advantage of being *released* from the cares of the public service at such a time as this; but that as to any thing else, so far as my personal desires were concerned, I would not speak ten words, nor write two lines, to be President of the United States—nor, of course, to be any thing subordinate to that. He said this was standing on very independent ground indeed; but that for himself he was satisfied there ought to be that confidence in a man's principles and integrity not to require of him any pledge of opinions at all. I did not enquire, nor did he tell me, with whom he had conversed, or what the object was to which he referred as the conspicuous station of which he spoke in general terms. Mr. Gilman is, however, the particular friend of Mr. Clinton, as Mr. Giles is of Mr. Madison, with respect to the presidential election; and he some time since asked me which of the Departments I should prefer—that of State or that of the Treasury. I answered him, laughingly, that I was about as well qualified for the one as for the other. He then said, in the same tone, that he thought so too; but he believed that the Department of State would suit me best, and when *he* should be President of the United States I should have it.

25th. This day closed the first session of the Tenth Congress, which has been sitting precisely six months. The day passed in the usual hurry and confusion of a closing day; but

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without the usual differences between the two Houses; and it is remarkable that this is the first session since the establishment of the Government during which there has not been one instance of a conference upon disagreeing votes. There were, however, many bills this day postponed to the next session. The Senate adjourned from half-past three to five o'clock. After seven in the evening, a bill of five long sections was sent for the first time from the House. We passed it, however, with some difficulty. About nine o'clock in the evening the two Houses adjourned. I dined with Mr. Gilman at Mrs. Beckley's. Just before the adjournment of the Senate Mr. John Randolph came in, and went round within the body of the House and took leave of every member present. To Dr. Mitchell and Mr. Gilman he spoke very emphatically, with good wishes for New York and the Vice-President. I wrote an answer to Dr. Eustis.

BOSTON, *May* 10th.—I called on Chief-Justice Parsons and had some conversation with him on political subjects. I found him, as I expected, totally devoted to the British policy, and avowing the opinion that the British have a right to take their seamen from our ships—have a right to interdict our trade with her enemies, other than the peace trade—and a right, by way of retaliation, to cut off our trade with her enemies altogether. He also thinks the people of this country corrupted, already in a state of voluntary subjugation to France, and ready to join an army of Buonaparte, if he should send one here, to subdue themselves. The only protection of our liberties, he thinks, is the British navy.

June 1st. General Varnum called upon me this morning and had some conversation with me on the subject of public affairs. He read to me part of a letter from Washington, which states that it was circulated there, and had been asserted by a federalist, with the offer of a bet, that Mr. Madison had made me the offer of a foreign embassy provided I would join his party. I told him there was no foundation in the report—that I had never had any conversation with Mr. Madison, either about the next election or about political party—that Mr. Madison had never made me any promises, and I was never

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inclined to receive any promises from him had he been disposed to make me any. I told him that Mr. Giles had occasionally mentioned to me that both Mr. Jefferson and Mr. Madison would be gratified by receiving from federalists support to the administration, and that I had taken occasion to tell him that there was and would be nothing in the gift of the President of the United States which I wanted or wished, and that any support they had received or should receive from me would be from public considerations, and no personal motive whatever.

2d. Mr. Wheaton's resolutions were this day adopted by the House of Representatives; and this afternoon the House came to the choice of a Senator of the United States, to serve from the third of March next, when my time would expire. The votes were, for James Lloyd, Jun., two hundred and forty-eight; for J. Q. Adams, two hundred and thirteen; for Laban Wheaton, one. Of course Mr. Lloyd is chosen.

3d. The appointment of Mr. Lloyd as a Senator of the United States in my stead, after the third of March next, was this day confirmed by the Senate—twenty-one votes for Mr. Lloyd and seventeen for me.

8th. I found, on going into State Street, that Mr. Wheaton's Anti-embargo resolutions were yesterday adopted by the Senate. I therefore this day sent a letter to the two Houses with my resignation of my seat as a Senator of the United States; which I enclosed to Mr. H. G. Otis, and left at his house, he not being at home.

9th. Mr. Lloyd was chosen this day, by the Legislature, to supply the vacancy in the Senate of the United States, occasioned by my resignation.

The letter referred to in the entry of the 8th was in the following words:

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts.

Gentlemen:—

It has been my endeavor, as I have conceived it was my duty, while holding a seat in the Senate of the Union, to sup-

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port the administration of the general government in all necessary measures within its competency, the object of which was to preserve from seizure and depredation the persons and property of our citizens, and to vindicate the rights essential to the independence of our country against the unjust pretensions and aggressions of all foreign powers.

Certain resolutions recently passed by you have expressed your disapprobation of measures to which, under the influence of these motives, I give my assent. As far as the opinion of a majority in the Legislature can operate, I cannot but consider these resolutions as enjoining upon the representation of the State in Congress a sort of opposition to the national administration in which I cannot consistently with my principles concur.

To give you, however, the opportunity of placing in the Senate of the United States a member who may devise and enforce the means of relieving our fellow-citizens from their present sufferings without sacrificing the peace of the nation, the personal liberties of our seamen, or the neutral rights of our commerce, I now restore to you the trust committed to my charge, and resign my seat as a Senator of the United States on the part of this Commonwealth.

I am, with perfect respect, gentlemen, your very humble and obedient servant,

JOHN QUINCY ADAMS.

BOSTON, 8 June, 1808.

July 11th. I enter this day upon my forty-second year. I employed it from early in the morning until the dusk of evening assiduously writing at my lecture and reading. The day was dull and rainy until towards night, when the sky cleared and the sun with "farewell sweet" made his appearance. I walked nearly an hour in the Mall. The return of my birthday is one of the seasons which call upon me for reflection. In the course of the last year I have been called by my duties as a citizen and man to act and to suffer more than at any former period of my life. To my duties I have steadfastly adhered. The course I pursued has drawn upon me much obloquy, and

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the change of parties in the State, with an accumulated personal malignity borne me, both on my father's and my own account, by those who rule the State, produced in the first instance the election of a Senator to fill my place after the third of March next. This election was precipitated for the sole purpose of specially marking me. For it ought, in regular order, not to have been made until the winter session of the Legislature. They also passed resolutions enjoining upon their Senators a course of conduct which neither my judgment could approve nor my spirit brook. I therefore resigned my seat. For my future prospects I have no reliance but on the Disposer of events. For the past I have the testimony of a good conscience, and a firm belief that I have rendered essential service to my country.

September 26th. Mr. Bacon called, and told me it was the wish of the *republicans* to hold me up as the candidate to represent this District in Congress at the approaching election, which, from a variety of considerations, I declined. The decisive inducement to me is my friendship for Mr. Quincy, the present representative, and my belief that he will not unite in the combination against the union and independence of the country. Mr. Bacon urged me with great earnestness to accept, but I told him I was irrevocably determined.

27th. I saw Mr. G. Blake this morning, and renewed my refusal to stand as a candidate at the approaching election. Mr. Bacon had yesterday proposed to me, on finding my determination made, that the offer should be publicly made to me, leaving it to me either to accept or decline. At the first suggestion of this it had occurred to me, that this circumstance would give me an opportunity to declare, in declining, my adherence to all the principles for which I have contended, and by which I have lost the favor of the federal party. As a mark of strong confidence from the opposite party, there might also be some gratification to my personal feelings. I had, however, before parting from Mr. Bacon, inclined to the conclusion that it would be best that the offer should not be made to me at all. After leaving him, on further reflection, this conclusion became the more decisive upon me. For, as to the personal gratification, I saw

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my duty to set that aside entirely; and as to the opportunity of manifesting my adherence to my principles, it is not now necessary, since I have done nothing to induce suspicion of my having deserted them; and if occasion should arise requiring such an assurance from me to the public, nothing can be easier than to find or to make an opportunity to do it. There appeared also to me to be forcible reasons against my consenting to have a public offer made to me, with a predetermination to decline it, known to the leaders of the party by whom the offer would be made, before they should make it. There seems to be a littleness in such a preconcerted offer and refusal, which ought alone to discard it as a mode of proceeding. It would probably promote Quincy's election; but he does not need it to secure that object, and it would be an improper way of aiding him; since it must be at the expense of those who are manifesting this unlimited confidence in me. It would also be no cordial to the feelings of the candidate who may be substituted in my stead, who has also strong claims to delicacy of treatment from me. These motives had presented themselves to me in so strong a light, that I was apprehensive Mr. Bacon might have considered my answer on this point as so far indecisive that the offer might be made me. I therefore called at his lodgings last evening, to make my answer perfectly explicit. He was not at his lodgings, and this morning left town. I therefore called on Blake, as one of the Central Committee of that party, and found that, from Mr. Bacon's report to them, he had understood me perfectly, as inclining against the offer, but not decisively; so that they would certainly make it. I therefore explicitly declared my wish that the offer should not be made; and explained my reason to Blake to his satisfaction, and they will not make it. Their candidate will be Eustis.

October 3d. This afternoon five gentlemen, as a committee from all the towns in this district, called upon me to request that I would consent to be held up as their candidate—at the approaching election for Congress. They were Doctor Townsend and Mr. Tilden, of Boston, Mr. Harris, of Charlestown—the two other gentlemen I did not know. I declined, however, acceding to their request, which they urged until my

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perseverance in declining appeared offensive, and they left me, with apparent dissatisfaction. I had felt a perfect confidence, from what had passed between me and Mr. Bacon first, and Blake afterwards, that I should have avoided this perplexity. I pray that I may have the means of being conducted through it without a violation of any duty to the public service or to private friendship.

4th. I met this morning Mr. Tilden, who told me the gentlemen that came with him yesterday, and whom I did not know, were Mr. Fearing, of Hingham, and Mr. Hall, of Malden. He said they had adjourned a fortnight, in the hope that I would reconsider my determination expressed to them yesterday, and that Mr. Austin and Mr. Prince were added to the committee.

7th. Dr. Townsend called upon me again, to say that the committee of which he was chairman proposed to call once more on me, and express their wishes that I would still consent to stand their candidate at the next election. I told him, that although I should be glad to see the gentlemen personally, I should hope they would not take the trouble to call again on that subject; that the more I reflected upon it, the more I was confirmed in my own resolution. I mentioned to him my attachment to the present member; that I could find no proper motive sufficiently strong in my own mind to justify the sacrifice of that sentiment, which I must make by consenting to have my name held up in opposition to his, even were I certain of success. That I would not be inattentive or inactive to the cause, which I believe to be that of the country, but in the present instance could not prevail upon myself to stand for the election. He left me seemingly satisfied with my reasons, though not with my determination.

8th. Mr. James Prince, an additional member of the republican committee, called upon me this morning, and renewed the solicitations which I had declined to comply with. I still adhered, however, to my purpose, in the propriety of which I find myself daily more strongly confirmed.

10th. Mr. Benjamin Austin this morning called at my office, and in a long conversation urged me again to permit my name to be held up as the candidate for this district at the approach-

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ing election. Two other members of the committee also called at my house this afternoon for the same purpose—I think a Mr. Rhodes and Mr. . I persevered, however, in my determination to the last. In proportion as the anxious importunities of these persons have been repeated, my own anxiety to discharge *all* my duties has increased upon me. The first and the last impression upon my mind has been that I ought not to sacrifice the obligations of private friendship, by suffering myself to be put up in opposition to Mr. Quincy. The other considerations, which in the first instance would have disinclined me to consent, I should have given up to the earnestness and the propriety with which I have been entreated, merely not to decline an election, if my name should be announced. I believe the election would be carried. At any rate, I should carry all but a majority, if not a complete one; and my personal feelings would be gratified by the strength of the support I should receive. My personal importance would be raised in the estimation of both parties, and I am not unaware that my resolution on this occasion will have the contrary effect upon both. All this, however, I must be willing to endure. I can find no difficulty in disposing of arguments the power of which centres in myself. The subject has been presented to me by my own feelings and by others in a more fascinating form: that the moment is critical; that a patriotic citizen ought not to withhold himself from the public service and the wishes of his fellow-citizens; that private friendship must be made subordinate to the public welfare; and that by merely being inactive, and doing nothing either to encourage or to discourage the nomination, I should not violate any duty of friendship, since rival candidates may still remain cordial friends. This reasoning I have found it most arduous to resist. I do believe my services to be a right of my country to claim. But so are Quincy's. And I cannot bring myself to that pitch of self-imagined importance as to suppose I am bound to seek the means of public service by acceding to an attempt of edging him out of it. The representation of this district is not the hinge upon which the destinies of this nation will turn, nor is Quincy a man who will lend himself to the

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destructive projects of the present leaders of the federal party. Upon the whole, I feel satisfied with my own decision in this case. Its event is in wiser hands than mine.

31st. Colonel Welles, in a joke, told me he heard they were going to make me Governor. (By *they* he meant the republican party.) Upon which I told him, in the same manner, that I should not expect his vote for me. B. Russell asked me to attend a federal caucus to promote the election of Mr. Quincy, who he understood was my friend. I told him that Mr. Quincy was my very good friend, but if I attended the caucus I hoped he (Russell) would not publish in his paper that I attended it without invitation, or that I voted at it for myself, like the lies published last winter on my attending Bradley's caucus.

November 27th. I called at Dr. Welsh's, and afterwards on Dr. Eustis, with whom I had much conversation on the present state of public affairs. He mentioned to me a project which I am to take into consideration, and to see him again to-morrow. I am in a situation still of great difficulty, and need that light and assistance which this world cannot give. I pray for it from above.

28th. I saw Dr. Eustis again this morning for an hour or more at my office, and had some further conversation with him. He showed me a paper containing the outlines of his project, and left it with me.

29th. Saw Dr. Eustis again, and stated to him most of my objections against taking an active part in the measures which he proposes.[1] I was some time this morning in the court house, where the Chief Justice of the State is sitting for jury trials. In the evening I walked two or three hours with Mr. J. Gardner, and nearly came to a determination to remain politically inactive at present, from a conviction that by now taking a part I could do little or no useful service to the public.

30th. Called at Dr. Eustis's, and read him the papers which I had prepared, which, as I had expected, did partly but not altogether satisfy him.

[1] Some systematic effort to counteract the effect of the measures of the majority in the Legislature, to direct public opinion in the State, appears to have been contemplated by Dr. Eustis, perhaps connected with the project vaguely alluded to in the next entry.

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December 2d. I called upon Dr. Eustis, and told him my determination to take no part in the measure which he proposes. He appeared satisfied with my reasons, though he urged me with great earnestness to decide otherwise. At his request I left with him the paper I had drawn up, with the condition agreed between us, that it should be for his use alone, and to be returned to me when sufficiently considered by him. I showed it yesterday to my father, and, as this is a case in which I thought faithful counsel would be prudent to take, I asked his advice. He declined, however, giving me any decided opinion. Between the magnitude of the prize in the view of ambition, and the magnitude of the stake in that of personal independence, he was at a loss to decide for me, and left me to the operation of my own mind. For my own part, in this as in other cases, I set my ambition aside. The question is whether I shall assume an agency in this transaction which shall make me the candidate of the party for the Governor's office at the next election. By declining to act, I shall certainly not be taken up; by acting, in all probability I should. But my occupation, my support, the comfort of my family, and my father's quiet in his declining life must be ventured upon the die; and, after all, the public benefit which might result from my decision is quite uncertain. My only regard is to the public, and my own opinion, with that of my friend G., and the hesitation of my father, all concur to the same point in my final decision.

12th. Mr. B. Welles called upon me with a request from the family of the late Governor Sullivan that I would draw up an obituary notice of his character for publication, to which I assented. I wrote to Mr. Giles. Received letters from Mr. Anderson and Mr. Cook. These correspondences, and the rumors, utterly destitute of foundation, circulated for particular purposes respecting me, have a tendency to unsettle my mind, and to dissipate my attention from those occupations upon which it ought to be perseveringly bent. Let me hope I may not be too much diverted from the real purposes of my present life, nor suffer my feelings to be sported with, or my imagination to be deluded by the electioneering intrigues of any party. In the

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dreams of others' fancies, may the reality of my own situation be present to myself, and teach me the steady possession of myself.

Day. The year which has now closed has been among the most eventful of my life. It has removed me altogether from public life, and placed me in public consideration far behind that station to which I had attained. I have the approbation only of my own conscience, and the conviction upon my own mind of having done my duty at every hazard. My private concerns have suffered in proportion to those of the public, and are already under no small embarrassment, with a prospect far more gloomy than their present condition. Yet, under these circumstances, I look with confidence to that superintending power, who from evil can bring forth good, and trust that whatever fate is destined to myself, the mercies of Heaven are still reserved for my family and my country—His will be done.

WASHINGTON, *March* 1st, 1809.—The case in which the Court have hitherto been engaged was this day finished, and that of Fletcher and Peck was called. Mr. Martin, for Fletcher the plaintiff in error, opened the cause. I am to answer him to-morrow. I was engaged at home very late in the night.

2d. I argued the cause of Fletcher and Peck, on the part of the latter, and occupied the whole day, from eleven o'clock until past four in the afternoon. I was under the usual embarrassments which I have always experienced in public speaking, and, notwithstanding all the pains I have taken, not sufficiently clear in my arrangement and method. In point of effect I was apparently not successful, and in my exposition dull and tedious almost beyond endurance. The Court did, however, hear me through. Mr. Harper follows me to-morrow. I passed the evening at Mr. Boyd's, where was Mr. Harrison. Walked home from the Capitol Hill, partly with Dr. Mitchell and Mr. Thruston.

3d. Mr. Harper argued the case of Fletcher and Peck, on the part of Mr. Peck. He was between two and three hours. Mr. Martin then began his argument in the close, and went partly through it. He is to finish to-morrow. The Court adjourned to meet at eleven o'clock in the morning.

4th. Going up to the Capitol, I met Mr. Quincy, who was on

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his way to Georgetown to get a passage to Baltimore. The Court met at the usual hour, and sat until twelve. Mr. Martin continued his argument until that time, and then adjourned until two.

I went to the Capitol, and witnessed the inauguration of Mr. Madison as President of the United States. The House was very much crowded, and its appearance very magnificent. He made a very short speech, in a tone of voice so low that he could not be heard, after which the official oath was administered to him by the Chief-Justice of the United States, the four other Judges of the Supreme Court being present and in their robes. After the ceremony was over I went to pay the visit of custom. The company was received at Mr. Madison's house; he not having yet removed to the President's house. Mr. Jefferson was among the visitors. The Court had adjourned until two o'clock. I therefore returned to them at that hour. Mr. Martin closed the argument in the cause of Fletcher and Peck; after which the Court adjourned. I came home to dinner, and in the evening went with the ladies to a ball at Long's, in honor of the new President. The crowd was excessive—the heat oppressive, and the entertainment bad. Mr. Jefferson was there. About midnight the ball broke up.

6th. This morning, while at breakfast, I received a note from Mr. Madison, the new President, requesting me, as I go up to the Capitol Hill, to call on him at his late residence, or at the President's house; which I accordingly did. He there informed me that he proposed to nominate me to the Senate as Minister Plenipotentiary to Russia. Mr. Jefferson had sent Mr. Short there last summer, but on his nominating him the Senate rejected the nomination. Mr. Madison said he had been informed the objection was not to the mission, but to the man; that the Emperor of Russia had so frequently and so strongly urged a wish for an interchange of Ministers with this country, that he, Mr. Madison, was very desirous of complying with that inclination; that the commercial relations between the two countries were important, and that in this disposition of the Emperor, perhaps some valuable advantages might be obtained. He apologized for not having given me

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earlier notice of this proposition, from the extraordinary pressure of business which the recent occurrences had thrown upon him; and observed that the nominations must be sent in within the course of half an hour. I thanked him for the confidence which was indicated by this proposal, and enquired what the particular objects of negotiation would be; and at what time I should be required or expected to go.

He said that there would be no particular immediate subject of negotiation, unless it should appear that commercial arrangements of mutual benefit might be made, but that if a negotiation for peace should ensue, and the principles of maritime rights become objects of the Treaty, the interests of the United States might require their participation; that at least it might be necessary to guard against any possible combination of the two powers at war against us, and that the cultivation of the Emperor of Russia's friendship might in this respect be very important. He said that copies of Mr. Short's instructions would be furnished me, and such further instructions as might occur as necessary. That as to the time of my departure, it might be as soon as my convenience would admit—probably not under a month, and perhaps more. The salary and allowances would be those usual to Ministers of the same rank.

I enquired what length of time the mission would probably continue.

He said that was indefinite, and might depend upon events—perhaps three or four years.

I told him that, upon the little consideration I was able to give the subject upon this sudden notice, I could see no sufficient reason for refusing the nomination; though, from the circumstances, the confirmation by the Senate might be uncertain.

He again apologized for the shortness of the time, and said if, upon further consideration, I should perceive any insuperable obstacle to my acceptance, or the confirmation of the appointment, I might still reserve the right of finally declining.

On these grounds I consented that the nomination should be made. The report of the nominations was circulated within an hour of the time when I went into court. An important cause of the assignees of Robert Bird was partly argued.

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When I got home I found all the nominations known there also. That of Mr. R. Smith, as Secretary of State, was this day confirmed. I spent the evening and till late at night in preparing for an argument on the question of jurisdiction in the Courts of the United States in cases to which corporations are parties.

7th. Attended the Court, and argued the question respecting corporations. The ground which I was obliged to take appeared to the Court altogether untenable, and I shortened my argument, from the manifest inefficacy of all that I said to produce conviction upon the minds of any of the Judges. The Chief Justice intimated to me that they had already made up their opinions, and that, the Court being divided, probably no judgment would be given this term. In the case of Fletcher and Peck also, he mentioned to Mr. Cranch, and Judge Livingston had done the same to me on Saturday night at the ball, the reluctance of the Court to decide the case at all, as it appeared manifestly made up for the purpose of getting the Court's judgment upon all the points. And although they have given some decisions in such cases, they appear not disposed to do so now. While I was in Court, in the course of the day I saw a whisper circulating that the Senate had not concurred in the nomination to Russia,[1] and resolved that it is not expedient to send a Minister there at this time.

11th. This morning the Chief Justice read a written opinion in the case of Fletcher and Peck. The judgment in the Cir-

[1] Extract from the Executive Journal of the Senate for this day.

On motion of Mr. Lloyd that it be

Resolved, That in the opinion of the Senate it is inexpedient at this time to appoint a Minister from the United States to the Court of Russia,

It was determined in the affirmative—yeas seventeen, nays fifteen.

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Anderson, Bayard, Crawford, Gilman, Goodrich, Gregg, Hillhouse, Leib, Lloyd, Malbone, Pickering, Pope, Reid, Sumter, Thruston, Turner, and White.

Those who voted in the negative are,

Messrs. Bradley, Brent, Franklin, Gaillard, Giles, Kitchell, Lambert, Matthewson, Meigs, Milledge, Parker, Robinson, Smith of Maryland, Smith of New York, and Smith of Tennessee.

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cuit Court is reversed for a defect in the pleadings. With regard to the merits of the case, the Chief Justice added verbally, that, circumstanced as the Court are, only five judges attending, there were difficulties which would have prevented them from giving any opinion at this term had the pleadings been correct; and the Court the more readily forbore giving it, as from the complexion of the pleadings they could not but see that at the time when the covenants were made the parties had notice of the acts covenanted against; that this was not to be taken as part of the Court's opinion, but as a motive why they had thought proper not to give one at this term. I then enquired whether the Court had formed an opinion upon the issue made up by the special verdict; to which he answered that on that and the right of the Legislature to sell, if the opinion of the Court had been against the defendant they would have given it.

BOSTON, *July* 3d.—After I came home, about ten in the evening, a couple of boys came to my house and left with me a National Intelligencer of 28th June, requesting me, after I should have looked over it, to send it to the Palladium office. I found in it a paragraph that on the day before, that is, the 27th of June, the Senate had confirmed the nomination of John Quincy Adams as Minister Plenipotentiary to the Court of St. Petersburg, by a vote of nineteen to seven.[1] I sent the newspaper to the Pal-

[1] Extract from the Executive Journal of the Senate.

The following written message was received from the President of the United States:

TO THE SENATE OF THE UNITED STATES.

June 26th, 1809. The considerations which led to the nomination of a Minister Plenipotentiary to Russia being strengthened by evidence, since received, of the earnest desire of the Emperor to establish a diplomatic intercourse between the two countries, and of a disposition in his councils favorable to the extension of a commerce mutually advantageous, as will be seen by the extract from letters from General Armstrong and Consul Harris, herewith confidentially communicated,

I nominate John Quincy Adams, of Massachusetts, to be Minister Plenipotentiary of the United States to the Court of St. Petersburg.

JAMES MADISON.

The message was read.

Ordered, That it lie for consideration.

June 27th. The Senate resumed the consideration of the message nominating John Q. Adams to be Minister Plenipotentiary to the Court of St. Petersburg.

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ladium office, but knew not who the boys were that brought it to me.

4th. My father arrived in town early this morning, and at ten o'clock I went with him to the Senate chamber, in the State House, from which a procession of the Governor and Council, with the selectmen of the town, and a numerous company, went to the Old South Church, where the Town Oration was delivered by Mr. William Tudor, Jr. While in the church, and immediately after the delivery of the oration, Mr. Shaw gave me several letters, one of which was from the Secretary of State, enclosing the commission to St. Petersburg. The others were from Mr. Giles, Mr. Anderson, and Mr. Bacon. After the oration, the company, invited by the Governor and Council, returned to the State House, and partook of a collation.

The second procession, that of the Bunker Hill Association, went from the Representative chamber soon after the other had returned to the State House. I joined them, according to the invitation I had received, and walked with Mr. G. Blake. The procession, with various emblems of agriculture, commerce, and manufactures, consisting of about five hundred persons, including three military companies, went through the town, over Charles River bridge to Bunker Hill, where a dinner was prepared under an arbor covered with a tent, and four rows of tables for the company. The toasts after dinner were, many of them, too much in the usual style of party on these occasions. Early in the evening I left the company at Bunker Hill with Mr. Blake, and went with him to pay a visit to the young republicans assembled at the Exchange Hotel; to make which visit I had received a special invitation. We stayed there only a few minutes, to reciprocate salutations and give toasts, after which we retired.

And on the question, Will the Senate advise and consent to the appointment? it was determined in the affirmative—yeas nineteen, nays seven.

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Anderson, Brent, Condit, Crawford, Franklin, Gaillard, German, Giles, Gilman, Griswold, Gregg, Lambert, Meigs, Parker, Pope, Reid, Robinson, Smith of New York, and Whiteside.

Those who voted in the negative are,

Messrs. Bayard, Goodrich, Hillhouse, Lloyd, Pickering, Turner, and White.

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5th. I answered the Secretary of State's letter enclosing the commission, and accepted the office. It is with a deep sense of the stormy and dangerous career upon which I enter, of the heavy responsibility that will press upon it, and of the unpromising prospect which it presents in perspective. My personal motives for staying at home are of the strongest kind: the age of my parents and the infancy of my children both urge to the same result. My connection with the college is another strong tie, which I break with great reluctance; and by refusing the office I should promote my personal popularity more than by accepting it. In my own opinion, also, I would do more for the public service in a private station than abroad upon this mission. To oppose all this, I have the duty of a citizen to obey the call of his country signified by the regular constituted authority; the satisfaction of being removed, at least for a time, and with honor, from a situation where the deepest retirement has not sheltered me from the most virulent and unrelenting persecution, and the vague *hope* of rendering to my country some important service, as intended by the mission; finally, the desire to justify the confidence reposed by Mr. Madison in me, by assuming the station which *he* has chosen to assign me, and by devoting all my powers to the support of his administration, so far as it shall aim, as I am perfectly convinced it does and will aim, at the welfare of this whole Union. These are my motives—and I implore the blessing of Almighty God upon this my undertaking; that all its critical moments may find me in possession of myself—in possession of the virtues which contribute all that human power can contribute to success, and prepared alike for whatever event his Providence destines for its termination. Finally, with the profoundest sense of gratitude for that goodness which has so far rescued from its perils my beloved country, and from perils not less menacing my own person, and reputation with the people of America, I humbly ask, from perfecting goodness, for the extrication of my country from her difficulties and dangers, and for myself, the continued consciousness of purity in my motives, and, so far as it has been or may be deserved, the approbation of my countrymen.

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11th. I am this day forty-two years of age, and the reflections which return at every anniversary of my birthday naturally recur with increasing pressure. The year of my life now expiring has been marked by a continuance of that persecution which the combined personal enemies of my father and myself had unrelentingly pursued the year before. It has appeared in various forms, some of them singular enough; but its effect has been to impel me into more general notice and estimation throughout the country. I have now received an appointment of great trust and importance, totally unsolicited, and confirmed by every vote in the Senate, excepting my personal enemies, and two others, who voted not against me, but against the mission. Mr. Turner, of North Carolina, who voted against the nomination, expressed in the highest terms his approbation of the person. With this trust, my duties to my country bring again a burden of responsibility which I ought perhaps to have declined. On the integrity of my intention, and on the aid of that gracious Heaven which never has deserted me, I must rely. I pray for clearness of intellectual vision to *see* the right path, for the necessary courage to pursue it, and for the fortitude and temperance to bear with equanimity the vicissitudes of its fortunes, whether adverse or propitious. Grant, O God, that I may do good to my country and to mankind, and deal with me and mine, if it be thy gracious will, in mercy.

15th. This afternoon Mr. Bird, one of the members of the senior class at college, came with a letter from a committee of two of that and two of the junior class, expressing their regret at the prospect of my departure, and a request that I would publish my lectures. I desired Mr. Bird to thank the two classes for their obliging expressions, and with respect to the publication, which I had not contemplated, I must ask a little time for reflection, and would then give them an answer. I walked this evening in the Mall, and, meeting Judge Davis, consulted him, as a member of the corporation, on the propriety of such a publication: he inclined in its favor, but said he would advise with other members of the corporation, and proposed to me to speak about it to Mr. Parsons, the Chief Justice. I told him that if, upon the whole, the corporation should see

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any objection to the publication, I would certainly withhold it; as, from the imperfection of the work, my own inclination was rather against publishing, at least for the present.

24th. Mr. B. Austin called on me this afternoon from a committee of republican citizens, with an invitation to a public dinner, and to enquire the day which would best suit me. I excused myself, owing to the shortness of my time and the pressure of my engagements.

26th. This day is the twelfth anniversary of my marriage. I received my instructions from the Secretary of State, and other papers—all but the credentials, which are yet to come directly from the President, who is in Virginia. I received yesterday the invitation to the public dinner, in writing, and answered it this morning.

28th. After being very busily engaged all the morning, at twelve o'clock I went to Cambridge. My mother and brother came into town, and went to Cambridge at the same time with us. We all dined at Mr. Wainwright's, where there was a company of perhaps twenty persons. At two o'clock I attended the declamation, which was not entirely full. At three I read my twenty-fourth lecture, at the close of which I added some thoughts on taking leave of the college. All the classes attended, and the chapel was very much crowded with strangers. I called afterwards at President Webber's, where I met Dr. Lathrop and Mr. Stedman, and took leave of them all.

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